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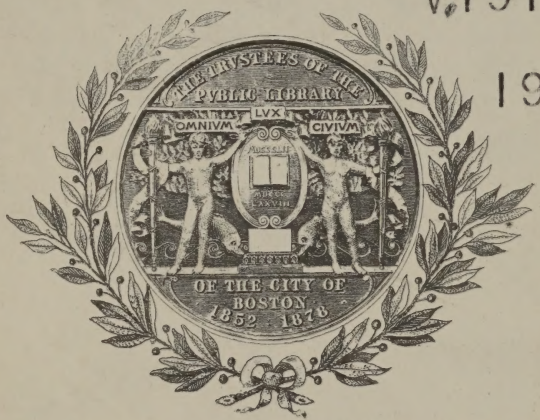

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JANUARY, 1910.

A CENTRAL BANK OF ISSUE

BY CHARLES A. CONANT, VICTOR A. MORAWETZ AND SENATOR W. A. PEFFER.

THE EVOLUTION OF CENTRAL BANKING.

One of the strongest arguments in favor of a central bank is the fact that practically every commercial country but the United States has arrived by a process of evolution at the central banking system. There is not to-day an independent nation in Europe which has not a central bank controlling the note-issuing and exchange situation, most of them established within sixty years and several of them within ten years. Differences of race, of forms of government and even in degrees of economic development, may have retarded, but they have not prevented this evolution. The argument has been heard in this country that while central banks may be suited to monarchies, they are not adapted to republics. Such reasoning ignores the example of France, whose republican government in 1897 renewed the charter of the Bank of France for twenty-three years. It ignores the more recent case of the hardy little republic of Switzerland, whose central bank was opened for business in June, 1907, and bravely carried the country through the panic of the autumn. To the objection that the United States is too

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great territorially for a central bank with the necessary branches, is opposed the example of Russia, whose central bank holds the second largest gold reserve in the world and ministers to the needs of 150,000,000 people scattered over two continents.

If "history is philosophy teaching by example," then the history of banking teaches that financial progress depends in large measure on the existence of a central monetary institution, dowered by law with the power to use its credit without any limits, except those imposed by sound banking policy, for the protection of the national gold stock and national financial security. The only conspicuous instance of the failure of a central bank,—the second Bank of the United States,—antedates banking experience under modern conditions. If its failure is an argument against central banks, then the still worse failure of nearly all the local and isolated banks of that time is an argument against local and isolated banking. The science of banking was then in swaddling-clothes, and analogies based upon those conditions are as misleading as analogies in regard to the moving of freight to market based upon the speed and efficiency of the stage-coach and the ox-cart.

The Bank of England and the Bank of France are practically the only central banks in Europe which date back more than a century. The Bank of England is 215 years old; the Bank of France is 109 years old. All the other central banks, as at present organized, were formed after 1849 and many of them since 1875. The old Bank of Prussia dated back to 1765, but its business was not organized upon modern methods until much later, and only by the law of 1875 did it acquire the position of the dominant bank of the German Empire. The Austro-Hungarian Bank dates back to the time of Napoleon, but for many years was little more than a machine for the issue of irredeemable money to meet the needs of an embarrassed government. It was not until 1878 that the National Bank of Austria was expanded into the Austro-Hungarian Bank under a modern charter.

The National Bank of Belgium, whose charter became in 1882 the model for the Bank of Japan, was established only in 1850. The Bank of The Netherlands also, while organized in 1814, was reorganized on the model of the Bank of Belgium in 1864. Italy had a number of banks of issue up to the panic

of 1893, when they were reduced to three,—the Bank of Italy, the Bank of Naples and the Bank of Sicily, each practically supreme within its own territory. Spain unified her note-issuing system only in 1874, when 18 local banks were ordered to liquidate their circulation and transfer it to the Bank of Spain. Portugal granted monopoly of note issue to her central bank only in 1888. In the three Balkan States which were liberated from Turkey in 1877 central banks were established between 1880 and 1885. Sweden continued the system of local banks until 1897, when provision was made for transferring their circulation to the Royal Bank before the close of 1905. Switzerland also, finding exchange almost uniformly adverse under the system of some 30 local banks, was finally driven, after a discussion of nearly twenty years, to the creation of a central bank, which began operations in the summer of 1907.

The reason for the evolution of the central bank is the reason for the evolution of other forms of concentration in modern society. It applies to finance the system of larger units and greater economy which has been applied long since in the world of government, railway systems and manufacturing. Guerilla warfare,—fighting with small units,—was adapted to the infancy of civilization; it is the heavy battalions and the massed resources which decide modern contests,—both on the field of battle and in the field of finance.

One of the best examples of this was the comparative conditions in Europe and America in the panic of 1907. The total amount of gold in the United States on July 1, 1907, was $1,466,389,101; that reported for France was $926,400,000. The national banks of the United States alone held on August 22, 1907, reserves in lawful money amounting to $701,600,000, and the Bank of France had practically no more. But in the United States each little local bank began strengthening its position, as if it was a small battalion in a beleaguered fortress instead of a part of the great army of modern finance. The result was that gold and notes were piled up uselessly in many a country town, while the banks of the great cities struggled by every possible device,—through the importation of gold, the hastening of merchandise shipments abroad, and the issue of clearing-house certificates,—to keep their reserves somewhere near the requirements of law. The monetary system broke down, and the

banks of the United States, in a time of peace and abounding prosperity, suspended currency payments, because the metallic reserve of the country was so hopelessly subdivided as to be useless.

To the cry of distress which went over the sea from our isolated banking units, beaten as they were in detail, Europe responded by the generous tender of her gold. The United Kingdom, with little more than a third of our stock,—reported at $564,500,000 at the close of 1907, of which only $162,000,000 was visible in banks,—joined France with her larger stock in sending to distressed America within two months more than $100,000,000 of the yellow metal. The Bank of England, with its somewhat restricted reserves, which rarely rise above $150,000,000 and often fall close to $100,000,000, was in the position then, as it has always been in recent times, to summon the gold of the world by its concentrated power over the exchanges. The Bank of France, with total legal reserves less than those of American banks, nevertheless stood erect midst the storm with the concentrated power of a fleet of battleships surrounded by Indian canoes or Japanese sampans.

The American principle of isolated note-issuing banks has been tried, through admiration for America, in at least three countries, with disastrous results. One of these countries was Japan, influenced by touching faith in those early days that whatever was done in America must be right. Local banks of issue under the name of national banks were authorized by a law of 1872. The banks were required to purchase national stocks as the basis of their circulating notes. The notes came back so rapidly for redemption, however, that the banks were authorized in 1876 to redeem them in government paper money, which fell the next year nearly 50 per cent. below par and left the Japanese imitation of our national banking system only an unsightly mass of wreckage. The Bank of Japan was created in 1882 with a capital of $5,000,000 (since increased to $15,000,000), and began the laborious work of clearing away the débris of the national banking system and substituting the policy of a unified note circulation and a central banking control. With the help of the new bank Japan passed successfully through her struggle with Russia without the suspension of gold payments, only two years before the national banks of the United States suspended under the ægis of world-wide peace.

The Argentine Republic also, stimulated by admiration for the great republic of the north, tried in 1887 the American system of depositing government bonds as a basis for note circulation. Bad banking and excessive issues destroyed the system within four years. Gold went to a premium of 300 per cent., and every bank of issue suspended in 1891 and went into liquidation. In Mexico the Code of Commerce of 1884 authorized the employment of government bonds as the basis of note issues, but the system soon went to wreck and was superseded by one based upon the predominant influence of the National Bank of Mexico and the specific and definite repudiation by the Minister of Finance of the policy of linking note issues to the credit of the government.*

The three apparent exceptions at the present time to the system of a central bank of issue among commercial nations are Scotland, Canada and Mexico. Critically examined, however, it becomes apparent that in each of these countries reliance is placed by the independent banks upon one institution which, without the direct sanction of law, nevertheless fulfils practically the functions of a central bank. Two of these countries, it may be remarked, are only parts of an empire and are not sovereign. In the case of Scotland, all the banks of issue lean in time of stress upon the Bank of England and import gold from London. They have agencies in London, and it has recently been proposed that when they encounter an unusual need for gold, it may be met by transferring the gold temporarily to their agenices in London, to strengthen their visible reserves, without shipping it down to Edinburgh and other Scotch cities.

In Canada the operations of the note-issuing banks, which number only thirty, centre around the Bank of Montreal, which possesses about one-fifth of the assets of the entire Canadian banking system. In Mexico the reforms of 1897, which put an end to the loose system of 1884, permitted the creation of a single bank of issue in each state, but these state banks lean largely upon the National Bank of Mexico, which possesses 40 per cent. of the assets of banks of issue, and have also entered into relations with the Banco Central, which affords them the benefits of quick redemption of their notes, the clearing of obligations, and mutual support in time of stress. It was a signifi-

* See the author's "History of Modern Banks of Issue," pp. 481–483.

cant fact that in the pressure of 1907-08, while the issues of the state banks were contracting by $5,000,000, those of the National Bank of Mexico were increasing by a nearly equal amount.

Thus, in all these cases, it appears that there is in fact, though not in law, a system of central banking, only modified by the circumstance that moderate issues of notes are permitted to other banks. Moreover, in these cases of apparent exception to the general rule, the countries concerned, while large factors in the commerce of the world, are not a part of the mechanism of international finance to the extent of London, Paris, Berlin or New York. In the hands of the bankers of the first of these three great centres lies the distribution of surplus capital to new and developing nations. If New York would become a serious competitor with them as a centre of exchanges, for her share in this process of distribution, it is absolutely essential that she also should possess a financial mechanism cohesive, flexible and concentrated, capable of handling without risk the largest affairs, guarding the gold stock of the country, and guaranteeing by its strength the soundness of the monetary system.

CHARLES A. CONANT.

THE CENTRAL BANK PLAN.

UNDER our existing system of independent local banks we have prospered beyond all other nations. Therefore, this system cannot be wholly bad. But periodically the country has suffered from severe money stringencies which sometimes have resulted in panics and wide-spread disaster. We need a banking system that *always* will be safe and that *always* will serve the needs of industry and commerce. Foreign countries have such safe and serviceable systems. Can we not have such a system in the United States?

General money stringencies and wide-spread financial troubles in the United States have not been caused by the mismanagement of individual banks or trust companies. In the main the management of our banks and trust companies has compared favorably with that of similar institutions in other countries. Important bank failures have occurred in England, Germany and France as well as in the United States. No system can make bank-managers honest and prudent or guard against the penalties of

dishonesty and imprudence. But under a safe system the failure of an individual bank will not result in a general money stringency, as sometimes has been the case in the United States. If the banks generally have not expanded their deposit liabilities beyond the limit of safety, borrowers who are refused accommodation by a particular bank, as a rule, can obtain credit from some other bank; and a bank which has good assets can strengthen its reserves in case of need by selling some of its assets or by diminishing its outstanding loans. But when practically all the banks have expanded their deposit liabilities to the limit of safety, shifting loans from one bank to another bank, or strengthening the reserves of some banks by drawing upon the reserves of other banks is of no avail, for then no bank can strengthen itself without pulling down some other bank.

In the United States there is no way of regulating or controlling the expansion of bank credits in the aggregate, and there is no way of securing the adoption of a common policy by all the banks and trust companies when this is necessary for the security of the general credit situation. Each of the twenty-five thousand independent banks and trust companies in the United States carries on business for its individual interest alone, independently of the others, and each at all times seeks to lend its credit to the limit permitted by law as long as it can make a profit by doing so. The result is that bank credits are expanded, speculation is encouraged and business operations are extended to the utmost limit in normal times, while no provision is made for those times when an exceptional amount of currency is withdrawn from the bank reserves for use in circulation or when there is a demand for an exceptional amount of bank credit. The rope of credit, having been stretched in normal times to the limit of its strength, breaks when an additional strain is put upon it.

Some way must be found to hold in check the aggregate expansion of bank credits in normal times so that a sufficient amount of reserve money and of credit power shall be held back and kept available for use in times when an exceptional amount of currency or of bank credit is needed. In every country of Europe the machinery for securing the necessary regulation and control of the expansion of bank credits in the aggregate and for keeping available an adequate amount of reserve money and of

credit power has been provided by establishing a central bank which is deemed to be charged with the responsibility and duty of protecting financial conditions throughout the country. The necessary power is vested in the central bank (1) by making it the common depositary of a large part of the reserves of the other banks; (2) by making it the sole depositary of Government moneys; and (3) by conferring upon it a monopoly of the right to issue circulating notes.

The required regulation is effected by one or both of the following methods: (1) by acting as a bank for the discount and rediscount of commercial paper and by raising or lowering its discount rate, the central bank to a certain extent regulates interest rates and the expansion of credits and influences the flow of gold to or from the country; (2) by issuing its notes, which serve as circulating currency in lieu of gold, the central bank prevents the withdrawal of gold from the bank reserves for use as circulating currency, with the consequent reduction of credit power; and by diminishing the volume of the outstanding notes it checks over-expansion of bank credits and the export of gold when this should be prevented. The central banks of Germany and France use both of these methods of regulating banking conditions in their respective countries. The Bank of England uses only the first method, namely, by changing its interest and discount rate; but this method alone has not proved always adequate in England and certainly would not prove adequate in the United States.

There are eminent bankers who hold that we should establish in the United States a great central bank vested with powers similar to those exercised by foreign central banks. Undoubtedly the central banks in European countries effectively and satisfactorily regulate and control banking conditions in those countries; and if conditions in the United States were similar to conditions in European countries the argument in favor of establishing such a bank in the United States would be conclusive. However, conditions in the United States are so different from those existing in European countries that the central banks of Europe cannot fairly be considered precedents for the creation of a similar bank in the United States.

In Europe each country has established its own central bank, but no one country of Europe can be compared with the whole

of the United States. The territorial expanse of the United States is as great as that of all the countries of Europe combined. Control of the business interests and financial resources of the United States is not centralized, and cannot be centralized, to the same extent as control of the business interests and financial resources of a single country of Europe. The different sections of the United States have developed rapidly in wealth and in financial independence, and there exists a strong and growing feeling of opposition to the concentration of financial strength in few hands or in any section of the country.

In order to establish in the United States a central bank on the European plan, it would be necessary to concentrate vast resources in this bank and to constitute it the reserve depositary of the banks throughout the country. It would be necessary also to take away from the existing national banks their power to issue notes and to give a monopoly of this power to the central bank. To allow such a bank to be organized like an ordinary corporation, with transferable shares and an elective board of directors, so that a few rich men might purchase control, certainly would not prove satisfactory. To vest in the Government the power to appoint the managers of the bank, or to control its operations, might make the management and policy of the bank depend upon the result of popular elections and might constitute control of the bank a political prize, to be disposed of by the party in power. To provide that some of the directors of the bank shall be elected by its shareholders or by the other banks, and that some of them shall be appointed by the Government, probably would suit no one and certainly would not prove effective. A great bank must have a consistent policy and an executive head who can carry out this policy. By the creation of a composite board of directors diverse interests cannot be fused so as to produce a harmonious and satisfactory result. Ultimately full control would pass to such of the different interests represented on the board as might happen to unite so as to form a majority. Under any plan the business management of the bank would be controlled in great measure by its president or chief executive officer. As New York is the chief financial centre of the country the principal sphere of activity of the bank necessarily would be in New York even if the principal office of the bank should be located elsewhere.

Such concentration of financial power surely would result in sectional jealousies and dissensions.

The central banks of Europe were developed gradually, and became useful institutions because they were in harmony with the social conditions, the business habits and the political methods of the countries in which they were established. The Bank of England is a private stock company whose directors are chosen from among the merchants of London, but the management of the bank is governed by long-established customs and traditions which have acquired practically the force of common law. In France and Germany the directors or head managers of the bank are appointed by the Government, but in these countries also the management of the bank is governed by long-established customs and traditions. In European countries there exists the utmost confidence in the wisdom, the impartiality and the disinterestedness of those who have charge of the management of their central banks, and in no country of Europe are banking and currency problems deemed fit subjects for party politics. Though a central bank in the United States might be created by an Act of Congress, no Act of Congress could create the conditions, the customs and the traditions which in foreign countries have made central banks safe and serviceable institutions.

Almost from the beginning of our Government banking and currency questions have been treated as political questions. The first Bank of the United States was chartered by Congress in 1791 under Washington's administration. The bank became a football of politics, and when its charter expired the bank was destroyed. The second Bank of the United States was chartered in 1816, and the management of this bank also became an issue in party politics. When its charter was about to expire in 1836, the proposal to renew the charter resulted in one of the most bitter political controversies in the history of our country and was made the leading issue of a Presidential campaign. The party that favored the bank was defeated at the polls and the bank was destroyed.

No doubt business conditions have changed since the days when Jackson, Taney, Webster and Clay fought over the Bank of the United States; but have our political methods changed, and do we now exclude financial questions from our party politics? After the war the greenback question was treated as a political

question, and the issue of irredeemable fiat money was approved by popular vote in a number of the States. A long and bitter political fight was waged in favor of the proposal to pay our Government bonds in irredeemable paper currency. For twenty-five years the silver question was treated as a question of party politics, and twice the free coinage of silver became the dominant issue of a Presidential campaign. In our last Presidential campaign the principal issue advanced by one of the candidates was the compulsory guarantee of bank deposits. In each of these cases far-reaching financial policies were included in political platforms to be submitted to popular vote in the heat of a Presidential campaign. On several occasions the country was saved from the wildest financial heresies and from financial chaos, if not dishonor, by only a small majority of popular votes.

Having regard to our political history and to the political conditions which we know to exist, is it reasonable to suppose that the management and policy of a great central bank could be kept out of politics? If, after the creation of such a bank, it should become the cause of sectional differences and dissensions, and if its management, or perhaps its very existence, should become a political issue, the bank, instead of rendering financial conditions safer and more stable, would make them far more perilous than they are to-day. And if in the end the bank should fail to accomplish its purpose and should be dissolved, like the former Banks of the United States, probably it would pull down with it the political party that was responsible for its existence. No one can foresee what financial heresies then might prevail, but true reform of our banking and currency system surely would be postponed for a generation.

The main purpose of a central bank is to secure the safety and stability of financial conditions throughout the country. Cannot the desired result be attained in the United States without a great central bank by adopting in modified form such features of the central-bank system as are suited to practical conditions in the United States?

Though it would not be desirable or practicable to concentrate the reserves of all the banks in a single central bank, concentration of part of the reserves of the banks in the several sections of the country is both desirable and practicable. In order to effect such concentration of reserves so far as practicable and

desirable, the national banks in the several sections of the country should be authorized to unite in forming sectional reserve banks, to be controlled by them through stock ownership, each bank depositing part of its reserves in the sectional reserve bank of which it is a member. The sectional reserve banks, of course, should be required to keep ample reserves of lawful money and should engage only in the safest kind of business, so that at all times they would be in a position to furnish reserve money to the several banks by paying checks drawn upon their deposit accounts or by rediscounting their paper. The several sectional reserve banks also should make arrangements among themselves to facilitate exchanges between the different sections of the country.

For the purpose of establishing the necessary central regulation and control of the aggregate expansion of bank credits in relation to the aggregate bank reserves, the national banks, or the sectional reserve banks formed by them, should be authorized to form a note-issue association and to elect a central board or committee having power from time to time, with the consent of the Secretary of the Treasury, to increase or reduce according to the needs of changing conditions the volume of uncovered bank-note currency which the banks throughout the country may have outstanding, such increase or reduction being effected by increasing or reducing the percentage of their notes which the several banks must keep on deposit in lawful money in note-redemption funds to be held by the note-issue association or by the Comptroller of the Currency. By increasing the required percentage of the note-redemption funds the expansion of bank credits in the aggregate could be checked. By reducing the required percentage the banks would be enabled to meet a demand for more circulating currency without drawing upon their reserves against deposit liabilities. VICTOR MORAWETZ.

GOVERNMENT BANKING.

IN his address at Boston, September 14th, the President, referring to the work of the Monetary Commission, informed the country that the trend of opinion among the members of that body is favorable to the establishment of a "central bank of issue"; and that foreshadows a discussion of the question whether

this central bank shall be conducted under public or under private management. The President openly favors Government savings-banks, and the principle involved there is the same as that in the proposition for a Government bank of issue.

The proposed change must move on one or other of two lines—public or private interests. Men who have been long engaged in the loaning business and have grown rich on profits in interest moneys received will naturally favor private banking. But where there is one banker there are one thousand borrowers whose individual rights and interests are equally deserving of care and attention on the part of the governing power.

In the establishment of the gold standard it was generally understood by friends of that measure that the money question was settled; and perhaps, in so far as the metallic side of that question is concerned, it is settled; but in our case at this time there is another and much broader side to the money question, and that is the *paper* side. Nobody wants metallic money when paper is to be had. And the only paper money the people will use is that made by the national Government. The American people will never again tolerate State bank paper. Nothing in the paper money line in this country was ever so popular as the Greenbacks, and the reason is that the Government was behind it. Our national-bank currency has the same backing: but our experience with the banks' handling of it has not been satisfactory. While the paper is guaranteed by the Government, the amount of circulation is regulated by the bankers, who are private citizens in the business for personal profit and not for the public good. That, however, is not at all unreasonable, and it is lawful as well as natural. But when a shortage in currency appears and a rush for more currency is on, the Treasury Department is always called to the rescue. One result of the latest panic was an act of Congress providing for an "emergency currency" amounting to $500,000,000, for the printing of which a corps of Government engravers was employed ten months preparing plates for the new issue. Doubtless these facts have had much to do with bringing forward the suggestion of a Central Bank of issue under direct supervision of the same power that stands behind the banks and provides for the necessary relief in panicky times, which the banks have not, thus far, been prepared to do.

The Government now prints all the national bank-notes and the

other paper currency in use, by its own employees, on its own machinery in its own buildings, and is now enlarging the quarters of the Bureau of Engraving and Printing so as to be able to do more work in less time.

The average number of employees in the Bureau of Engraving and Printing for the fiscal year 1908 was 3,578. The paper to be used in printing United States paper money and national bank-notes for the current fiscal year has been estimated at about 74,000,000 sheets, weighing 888,000 pounds, at a cost of $368,520.

The banks now paying the cost of printing their own notes, the only additional expense to be incurred by the Government for doing the same kind of work under the proposed change to a central bank and its branches, would come from the additional amount of printing; and facilities for doing this sort of work will be much better when the new building is completed.

But by far the greatest benefits to flow from the change to a central Government bank of issue could be made to consist in reducing rates of interest and making them uniform throughout the country.

Congress has no authority to meddle with interest in the States. That is a State affair. But the general Government may establish branch banks in any part of the country and loan its own money to the people at its own rate of interest as was done by the United States Bank and its branches from 1791 to 1811 and again from 1816 to 1836.

The amount of money loaned and the interest paid or to be paid thereon in our country for any long period has never been published. But from what has been reported, we can see that a grand total for a single year would go beyond our capacity to comprehend. Take one instance as an illustration:

On the fourth day of September, 1906, our national banks—6,137 in number—reported the amount of their loans and discounts for that day alone to foot up $4,298,983,316 (cents omitted).

That sum is nearly twice as much as our public debt in 1870, which was $2,331,169,956. It is more than one and a half times as much as the combined expenditures of our national Government during the six years—1902, 1903, 1904, 1905 1906, 1907, the total amounting to $2,945,296,779.

If that day's work netted only one per cent. the figures would

show $42,989,833. Twenty such days' work would have paid the net ordinary expenses of the Government for any one year since 1865.

If national banks were the only money-loaning institutions in the country relations between lender and borrower might not seem so hard, but on the same day that the national bank transactions aforesaid took place there were in operation 11,852 State banks whose aggregate resources amounted to $10,363,350,846; also 8,862 commercial banks, 742 loan and trust companies, 1,319 savings-banks and 929 private banks and bankers—a total of 23,704 banking institutions besides the 6,137 national banks. (See Report of Comptroller of the Currency for the year 1906.)

If the difference between what is a fair and reasonable rate of interest and what is actually paid by the borrowing public were paid into the public treasury as public funds, taxation would be abolished and the tariff question would cease from troubling. It would more than pay all necessary expenses of the national Government from year to year.

One per cent. in a loaning establishment doing a large business will pay all necessary running expenses — rent, taxes, wages, stationery, postage, etc., leaving balance of the income as profits.

From time whereof the memory of man runneth not to the contrary, money-changers have dictated and maintained the rates of interest; and not until the great body of the people take hold of the subject will the borrowing public be fairly dealt with in this matter.

An eminent banker not many years ago wrote, "Wall Street moves the money which controls the affairs of the world."

A fair rate of interest is three per cent. That is what bankers themselves pay when they are borrowers. They advertise for deposits at that rate. A few months ago in Kansas twenty-nine State banks and thirty-eight national banks were designated as State depositaries, the interest rate being three per cent. Seven of the national banks bid over three per cent. One State bank was awarded eighty thousand dollars at three.

Recurring to the day's work of the national banks, September 4th, 1906, amounting to $4,298,983,316. Three per cent. on that amount gives us $128,969,499 as income for one day, and six such days would have paid all the disbursements of the general Government for the whole year 1906.

Objections to Federal control of the Central Bank would be equally applicable to the Post-Office Department which carries mail to the doors of city residents and to farmhouses in rural districts.

The Post-Office Department also forwards letters and parcels and postal money-orders to all parts of the civilized world. For the year 1906 the amount, in value, of domestic money-orders issued was $444,515,790; and the amount of international money-orders issued same year was $63,047,868.

It is objected that on general principles the national Government ought not to mix in banking affairs. How can it be avoided unless we go back to the old "shinplaster"?

In the very beginning of our national career (1791), a *United States Bank* was established at Philadelphia, with branches at different points. It soon went into operation with a capital of $10,000,000, of which amount the Government subscribed $2,000,000 in specie and $6,000,000 in stocks of the United States. The measure was very popular. The shares of the bank rose to twenty-five and forty-five per cent. premium, and it paid an average dividend of eight and a half per cent. on its capital.

The popularity of the bank created a bank fever resulting in establishment of local institutions more than business required, and at the close of the war in 1815 most of them had suspended specie payments and there was a general demand for another United States Bank. One was chartered (April 3rd, 1816) for twenty years, with a capital of $35,000,000, the United States subscribing $7,000,000; and the second bank was quite as useful as the first.

More than ninety per cent. of our business now is handled with paper money. There is not coin enough in the country to supply the demand for thirty minutes, when one day's business of one-fourth of our loan agencies puts out four billion dollars during the business hours of a single day.

We must have paper currency in amounts that no institution other than the United States can supply.

Coming closer to the subject, we find our Government now immersed deeply in the banking business. Upward of six thousand banks in operation loaning paper money by the billion daily, every single piece of which is made by Government employees with Government machinery in Government buildings. And this

has been going on many years. A tax is levied on bank circulation, and Congress makes an appropriation for the work based on the estimates submitted by the Director of the Bureau of Engraving and Printing.

Now let the Government do the rest of the work—the loaning of its own money by and through its own agents and appointees. Let the national banks now in business expire by limitation of law, their places to be supplied, whenever needed, by branch banks. There are now a great many national banks more than are required to handle the business they do. A city of forty to fifty thousand population gets only one post-office, and one Government bank could as easily accommodate that many people. Let the Treasury of the United States be the Central Bank, as it was in the years of our great war; and let the Treasurer be in charge as he was when ten dollars passed through his hands to one now.

Let the Central Bank loan to the people at three per cent. as bankers now lend to them at five, six and more: one per cent. of the income would pay all running expenses of the work, and two per cent. going into the national treasury would more than pay all necessary requirements of the national Government.

WILLIAM ALFRED PEFFER.

THE NEW BALANCE OF POWER IN EUROPE.

BY ARCHIBALD R. COLQUHOUN.

It is essential for the maintenance of the balance of power that the great States of Europe should be grouped in such a manner as to prevent any one from becoming the supreme arbiter of the continent. This is no academic or theoretic proposition to be artificially maintained in the interests of symmetry, but is the outcome of the law of self-preservation which applies to nations as well as to individuals. Therefore, while the political manœuvres of the European governments and their diplomatists may at times be puzzling, not merely to the man in the street, but to the student of world affairs, yet it will be found that on certain broad lines it is possible to disentangle the threads and to understand the drift of affairs. At the same time the growth and change inevitable in all States which are living organisms render any permanent grouping of the Powers unlikely, and, moreover, the psychological element which can never be fully reckoned with in the history of nations, may at any time provide surprises which alter the whole course of events.

For the greater part of the lifetime of most of us certain dominating features have determined the current of European politics. First, the Triple Alliance, the work of Bismarck; second, the great military power of Russia and her alliance with France; and third, the unquestioned naval supremacy of Great Britain. These three factors, by the balance of interests which they established and maintained, have secured peace to Europe, and have prevented any serious war between European States since the struggle of 1870, which founded the German Empire. But the last few years have seen changes which go to the foundations of that peace by striking at all these bulwarks. The Triple

Alliance still exists, but under circumstances which constitute a menace rather than a guarantee. Russia's military power has received an extraordinary check. Great Britain's naval supremacy is challenged. To older diplomatists it may well seem that the very foundations on which the European system has rested since the end of the Napoleonic wars is crumbling before their eyes. But, as it crumbles, another system will arise, and Europe, which has seen the decay of so much, will once more begin to build up.

Turning, for a moment, from the clash of national interests and ambitions, which is of course at the root of alliances and counter-alliances, we find all over Europe a non-national—a social, not a racial—movement. The rise of Socialism is not confined to any country in Europe, and, though it is modified by local circumstances and racial idiosyncrasies, it has certain broadly marked characteristics. The actual economic doctrine of the Socialists is not the most important feature of their movement—indeed it is a matter about which they disagree to an extent which even amounts, at times, to warfare. Their significance in the political world is that, under the parliamentary systems which prevail in most European countries, they now form a body in each governmental system which is opposed to constituted authority.

This phrase is, of course, only adequate in its broadest sense, for Socialism is a hydra-headed monster and cannot easily be summed up. In Italy (a constitutional monarchy) the movement is republican; in Spain (Catholic and monarchical) it is revolutionary; in republican France it is anti-militarist; in Germany (the most autocratic government in Europe) the Socialists are beginning to find a definite outlet as the champions of constitutionalism. In Great Britain the situation is complicated by the fact that Socialism has broken out, like an infectious disease, within a government ostensibly Liberal—nominally the heir of the Whig traditions. The outbreak has been signalized by the retirement from the ranks of Liberalism of Lord Rosebery and others, but a number of statesmen hitherto regarded as sound Liberals have been dragged along in the wake of the Radical-Socialist policy. The Red Flag, it must be observed, no longer stands for Utopianism, for the impossible schemes of idealists, but for definite political propaganda aimed at some vulnerable

point in each governmental system. The German Socialists, who lost ground when Prince Bülow went to the country on a national and patriotic issue, will find plenty of support if they identify themselves with an attempt to reduce the personal power of the Hohenzollern ruler. The British Socialists, who are by no means without support, even from the more sober Liberals, find in the necessity for raising increased revenue the opportunity for Socialist legislation, and, when that legislation is opposed by the House of Lords, gladly turn their attacks on that second Chamber. Now, the House of Lords really needs some measures of reform, and the Socialist element is again able to count upon outside help. Therefore, this movement from below, far better organized than any previous movement of the masses and now being skilfully directed along the lines of practical politics, is one with which all the governments have to reckon. The main difficulty is how to enlist the co-operation of these organized opponents in raising the enormous taxation necessary in modern States. As a result we find that in discussing the future balance of power we can almost leave out of account those traditional dynastic considerations which have been controlling factors in the past. Americans are accustomed to speak and think of Europe as "monarchical," but as a matter of fact the individual and personal element in European government will very shortly lose the significance of monarchical prestige and depend upon the predominance of character. It is only fair to William II to say that had he not been born in the purple he would certainly have won it for himself—he would have been Chancellor if he had not been Kaiser—but, being a leader by nature as well as by birth, he is now the one autocrat in Europe since Nicholas II (already dominated by a bureaucracy) has adopted what is at all events an attempt at a constitution. William II is not only his own war minister, but as supreme commander of the Army and the Navy can declare war and mobilize without asking the consent of any one. This power is secured to him by the constitution, but a further power is now in his hands since the retirement of Prince Bülow, who as Chancellor acted also as Foreign Minister and carried on the traditions of Bismarck to the extent of independent views on foreign policy. The present Chancellor was especially chosen because of his inacquaintance with, and inexperience of, foreign affairs, and the

Kaiser has assumed the active control of the foreign relations of his empire.

While the genius and personality of William II render such a combination of powers possible it is obvious that his whole position is an anachronism, that his attitude is a negation of the spirit of democracy, and that it is only by a series of brilliant successes that he can hope to hold his own against the forces from below. Hitherto his reign has been a period of increasing prosperity for the German people, and at intervals their pride has been satisfied by some demonstration of German power and prestige. The last of these was the humiliation of Russia in the Balkan crisis, and other instances are the dismissal of M. Delcassé, and the interference in Morocco on grounds which all Germany knew to be inadequate. To the outside world the Kaiser appears at times flamboyant, and within his own empire he has critics enough, but the vast majority of his people believe in his power to lead them along the path of prosperity to a still greater future—a future which, in vague but enticing language, he is continually holding up to them as the goal of Germanic ambitions. The internal situation in Germany, therefore, resolves itself into this. On the one hand the rise of a great industrial nation, largely influenced by collectivist ideals; on the other the personality of the German Emperor, and the fact that whether they will or no the whole German nation has been forged into a gigantic weapon for him to wield. The supreme question is whether he is wielding this weapon in a way which the German nation believes to be in its interests. There are people all over Europe who choose to believe that this is not the case, and that the German people themselves have no sympathy with the ambitions of their Kaiser. Personally, I am convinced that the vast majority of the nation are absolutely in accord with the foreign policy of the Kaiser, and it is only because of the support given him by his people that he is able to pile Pelion upon Ossa—not merely to maintain the vastest and best equipped army the world has ever seen, but to create a first-class navy as well. There may be grumbling about taxation, but this concerns merely the incidence of the burden, not the question as to whether the burden is to be borne. The vast naval construction was sanctioned practically without dispute.

The actual position of Germany is, of course, of primary im-

portance in discussing the balance of Power, because it is the growth of that country in armaments which, to borrow a phrase from Cecil Rhodes, has "upset the apple-cart," and apart from her internal strength Germany has consolidated her position by cementing, in the closest possible way, her alliance with Austria-Hungary. When Bismarck initiated the Triplice he was anxious not to draw the cords so tightly as to preclude the idea of understandings in other quarters of Europe as well—notably in St. Petersburg, but then Austria was but a weak ally, and Russia a powerful, potential enemy. To-day Austria-Hungary has an army second only to that of Germany in size and training, and together the two constitute a military weapon such as Napoleon never dreamed of. Thanks to the position always maintained by Francis Joseph as regards the army of the Dual Monarchy in refusing to grant it the use of languages other than German in the word of command, and in keeping it in other respects out of the whirlpool of national politics, the Austro-Hungarian army is unitary, easily combined with German troops, and has recently, it is stated by competent authorities, been co-ordinated on paper with the forces of Germany. The deadlock in parliamentary matters caused by racial dissensions interferes for the time being with the project for building Austrian Dreadnoughts, but the powerful influences which can be brought to bear will eventually overcome financial difficulties. In the conflict between German, Slav and Magyar which distracts the realm of the Habsburgs the first are a numerical minority, and the Slavs have a majority over Magyars and Germans together. In the long run this racial fact must tell, and when we remember the lifelong rivalry between Slav and Teuton it appears that the Alliance of Austria and Germany has no permanent foundation. But the inclusion of the Austrian states in a German Zollverein might prove irresistible, and, whatever the political future of the Habsburg domains may be, a large portion of them must be relegated to a German "sphere of influence," if not more. The position of Hungary is one of the most puzzling factors in Europe, but her geographical situation makes it impossible for her to contend against economic considerations which a great Germanic-Austrian Zollverein would bring into play. Here again the Socialist element, which is very strong in Austria-Hungary, has to be considered. Its influence so far is anti-national, and

would probably be exerted in favor of commercial union with Germany. Italy, the third party in the Triplice, is in a very different position to her partners. The enmity between her people and Austria is always ready to break out, as was evidenced recently when an eminent General in presenting new colors to a regiment practically told them that he hoped the flags would lead Italian soldiers to the recovery of their lost lands. Italy's acquiescence in the Bosnian annexation was secured by timely concessions on the coast of the Adriatic, but at the present moment the relations of Italy and Austria, though officially unruffled, are disturbed by two events. The first is the Isvolsky-Aerenthal dispute, in which the two statesmen try to throw on each other the onus for the steps leading to the annexation of Bosnia-Herzegovina, and on the top of this the Emperor of Russia visits the King of Italy and rather pointedly avoids Austrian territory en route. There is little doubt that Italy remains within the Triplice chiefly because the policy of her King is to secure his throne against republicanism by alliance with strongly monarchical countries, and also because Italy, whose fleet is only in its infancy, has an extended coast-line extremely difficult to defend. Italy has, however, attempted an insurance through an *entente* with Great Britain and is contemplating an extension of this understanding to France, but neither of these Powers, however good their will may be, can afford Italy protection in the quarter where she needs it. On her northern frontier the Trentino, lying on the southern slope of the Austrian Alps, and belonging not only racially but lingually and geographically to the kingdom of Italy, is a second Alsace to Italian patriots. Trieste and the eastern Adriatic Coast are partly Latin by tradition and sympathy, and the Irridentist faction in Italy has a popular following when it talks of the lost provinces which should once more be joined to the motherland. The Italian government cannot risk any expression of sympathy with these views, knowing too well the weakness of their position, with the great military combination of Germany and Austria-Hungary hanging over them. Between the devil of this menace and the deep sea of socialism and irridentism (two schools of thought far apart, yet united in embarrassing the government by their propaganda) the King of Italy and his advisers are obliged to cling desperately to the Triple Alliance long after it has ceased

to be acceptable to the people or of service in the direction for which it was originally formed. In estimating the balance of Power, therefore, Italy's influence is neutralized by the conflict between her sympathies and her needs.

When we try to estimate the extent to which William II is master of the situation in his own country, it is of importance to inquire how far he can reckon on support outside it, and for this reason. Although it is true, as the present writer believes, that the German people approve his policy at present, he has still to face the undoubted fact that the autocrat is popular only so long as he is successful. A monarch who is identified with his people in a more intimate way, who is really their servant rather than their master, as is the case in Great Britain, does not have to bear the whole brunt of the blame for any reverse which may fall upon the nation. At the time of the very worst British reverses in South Africa the personal popularity of the monarch was probably at its zenith. There was not even a disposition to blame his ministers. Contrast with this the outbreak of criticism with which the German papers signalized the diplomatic check given to Germany in Algeciras. The Kaiser, as has been said, has been careful at due intervals to provide some spectacular effect to remind his people how brilliantly he upholds the honor of the Fatherland, and in building the Navy the most strenuous attempts have been made to bring the spectacular side before the people, and to inflame and stimulate their imaginations. The Kaiser cannot risk failure at any point now, and with characteristic thoroughness determined to secure the Triplice far more completely than Bismarck had ever intended. Knowing that the reins of power must before long fall from the hands of the aged Emperor, King Francis Joseph, William II has made great efforts to secure the personal friendship of his heir, the Archduke Franz Ferdinand, with whom in the past the German Emperor has not been on the most cordial terms. The Archduke did not like Berlin, and as an ardent Catholic and Austrian he has been offended by the "Los von Rom" movement and by the openly avowed theory of some of his Austro-German subjects that the Hohenzollern and not the Habsburg House is the legitimate ruler over Germans in Central Europe. Recently, however, the relations between the Archduke and the Emperor have improved, and the last incident was the

reception at Berlin, with royal honors never before accorded to her, of the Archduke's wife, the Princess Hohenberg, who was obliged to forego all royal rights in Austria for herself and her children when the Archduke married her. There is no doubt that the Archduke counts on the support of the Vatican to annul the declaration made on his marriage and to secure the succession of his son. Apart from personal ties, however, Austria will not be permitted to forget that Germany secured her from the intervention of the Powers after the annexation of Bosnia-Herzegovina. The price to be paid for these favors has not been made plain as yet, but Europe has no doubt that the first result is the close alliance of the two great military powers and the construction of an Austro-Hungarian Navy which will act as the Mediterranean squadron to that fleet which is based on the North Sea. The principal disturbing influence which may upset the calculations of William II is to be found in the fact, already noted, that the policy of the Archduke Franz Ferdinand is dynastic and not national—it will never be popular with his predominantly Slav people, and, could they only achieve some sort of unity among themselves and a working alliance with the Magyars, the pro-German attitude of their government must undergo distinct modifications.

Against this consolidation of Central Europe into one vast armed camp we find a regrouping of the other Powers. Great Britain has composed her long differences with Russia and France, and the three now enjoy what is known as an *entente cordiale*. Practical politicians are sceptical as to the actual value of these somewhat indefinite understandings, and if their worth is to be computed in men or ships probably they are not very useful. But the moral element cannot be left out of account in international relations, and there is no doubt that the friendship between three great Powers, founded on a common danger —by far the most effectual tie—is of real use in maintaining the equilibrium of Europe. Unfortunately the new Triple Entente is composed of Powers geographically separated, and all three in a peculiar condition of unpreparedness, and the danger of the situation lies in the fact that the next few years offer to Germany an opportunity which may never occur again. Given the moment of weakness on the part of opponents and the necessity for some signal success to justify William II in his military and

naval policy and to demonstrate the advantages of the system of government which he typifies, is it conceivable that the opportunity will be allowed to pass without any attempt to take advantage of it to increase German power and prestige?

German writers like Professor Hans Delbrück have been busy demonstrating that the naval power of Britain was a menace to the world, which Germany felt obliged to check in the interests of peace. The fact that the British navy has not, with the exception of the bombardment of Alexandria, been engaged in war since Napoleonic times, is not alluded to or explained. The most significant, and indeed the conclusive, feature in the case is, however, the fact that German naval construction took on its most feverish aspect just at the time when the Government of England was cutting down naval expenditure, and when the Prime Minister had openly declared in favor of the limitation of armaments. This was represented as hypocrisy in German newspapers, but official Germany knew better. Sir Henry Campbell Bannerman was incapable of the particular form of duplicity, and he actually received a deputation of one hundred and forty-four members of the British Parliament desiring the reduction of the Navy. While the naval estimates were accordingly reduced, and all attempts to maintain the "two-power" standard were abandoned, Germany accelerated her rate of construction. The following dates are instructive. The British Liberal Government came into power in December, 1905. In 1906 a Naval Bill passed the Reichstag with flying colors, and fifty millions sterling were voted for naval construction, and although this Bill was greatly in advance of the one passed in 1900 (Germany's first move in the naval game) yet it only satisfied the Emperor and the Navy League for less than two years, and early in 1908 a Supplementary Bill was passed without opposition. The British government viewed these occurrences with apparent equanimity, and the first note of alarm was caused by the fact that the Germans accelerated their programme, and made it evident that their Dreadnoughts would be ready far sooner than had been estimated. The acceleration has been maintained, and the rate of construction, the amount of supplementary preparation in the shape of docks, harbors, canals and auxiliary vessels, are so unprecedented in the history of any nation as to be almost incredible. Gigantic as the official estimates are,

they by no means cover the whole naval expenditure, which, owing to the German method of financing public enterprises, is partly arranged for by loans outside the official estimates. Such extraordinary efforts were certainly not needed to protect German colonies, which, in fact, do not offer any temptations, nor is a fleet of Dreadnoughts specially designed for North Sea work suitable for the protection of the world-wide ocean-borne commerce which Germany possesses. Nor has it ever been demonstrated why that commerce should be endangered, since Great Britain has never shown the slightest disposition to interfere with or resent it. In short, no impartial observer who has studied the question on both sides of the North Sea can have any doubt that, whereas the British Fleet really existed for the protection of present and palpable interests, the German Fleet is aimed at creating a fresh sphere for its owners and as a weapon to increase, and not merely to maintain, the German share of power and prestige.

In considering the balance of power, therefore, we have to take into account the evidence that one Power, at all events, is not satisfied with her share, and is forging a powerful weapon in order to get more. The writer does not believe that the creator of that weapon has any definite plan as to when and how it will be used, but from his first master in strategy, Bismarck, he learned the important lesson that one must be prepared for any eventuality and must seize the first favorable opportunity. One thing is quite certain, he will be unable to maintain the heavy expenditure on naval and military matters and the martial ardor which has been stirred up without giving his people some tangible result for their money.

The situation, which is now fairly well understood by the small minority of people in Great Britain who give serious attention to foreign affairs, does not appeal in the same way to that democracy, which, like all democracies, is hardly capable of seeing through foreign eyes. It is so unlikely to the average Englishman, who is in a serenely pacific frame of mind, that any one should attack him, that he cannot be made to take the matter seriously. To the German, carefully taught by his teachers and his press to regard the Englishman as an aggressive animal before everything, it is equally obvious that he, with his predominance on the sea, blocks the way to a fresh world which,

otherwise, Germany could easily conquer. Without any immediate territorial designs, beyond coaling stations, Germany desires to be the first world-power, the arbiter of Europe—an ambition only to be realized by such a blow to England's Navy as would break its present predominance once and forever.

The balance of Power in Europe therefore, in the judgment of the present writer, depends upon the immediate action taken by Great Britain towards National Defence. Her Fleet needs to be not only strong but superlatively strong, equipped in every detail. While believing that such a condition can be attained, if her Government will undertake the work in earnest, there is ground to fear that at present much remains to be done, especially in detail. The enthusiasm of her overseas Dominions in the cause of Imperial Defence is a pledge for the future, but not a shield against present dangers. Finally, the great movement in favor of National Service, the compulsory military training of every able-bodied British citizen, must be placed in the forefront of her programme, because only by securing an adequate second line of defence can she free her Fleet for the work it ought to do. As a nation in Arms she should never have to face invasion, for it is one thing to invade a people defended by a paid army—beat the army and the people are conquered—but no one yet has attempted to invade a nation in Arms. In the interests of Peace, in the interests of the Balance of Power on which Peace depends, the British nation is called upon to make certain sacrifices, but these are as nothing compared to what she may be called on to pay if she does not make these sacrifices. Nor does the writer believe the effort required is so great as is sometimes represented—the mere indication of a finer intention to hold her own place would act as a check on the feverish naval activity of others, who would never have attempted to rival her had she not, by her blind quiescence, invited competition. But, even if the efforts needful to prove that she value the heritage she possesses and is prepared to defend it involve some sacrifices of time and money, she will, in making that sacrifice, find a national rebirth which will lead her on to a future greater even than her past, not by reason of aggression and acquisition, but by organization, consolidation and internal reforms.

ARCHIBALD R. COLQUHOUN.

HOW WE CAN HAVE AMERICAN SHIPS FOR THE PANAMA CANAL.

BY BERNARD N. BAKER.

WE have discussed the question of what use is the Panama Canal to our country without American ships.* We shall now do our best to show how these ships can be acquired upon safe business lines and the advantage to be secured after they have been acquired.

The first consideration is the sentiment which has been created all over this country that the time has come when we must have a merchant marine of our own. The absolute importance of this was demonstrated at the time of the Spanish-American war, when our company, the Atlantic Transport Company, through me individually, transferred seven large steamships from the English to the American flag, because, from President McKinley's own statement to me, it was absolutely impossible for the United States to secure ships; it was impossible to buy them in the United States under the American flag. If Spain had entered objections to the transfer it could not have been made. So important was this and the difficulty so great that the Atlantic Transport Company, Limited, of London, through a special resolution, transferred the ships to me individually, and I assumed responsibility of turning them over to our Government.

The following letter explains itself:

"*April 24th, 1899.*

"MY DEAR SIR,—The Government purchased from you seven ships last year, including the five large twin-screw fin-keel freight ships, for the sum of $4,000,000. While at the time the price seemed high, yet, upon subsequent investigation both of the ships and their values, I am satisfied that the Government received full value for its money. This has been confirmed, not only by the service of the ships, but by Mr. Cramp, President of the great ship-building concern of Philadelphia, who in-

* In THE NORTH AMERICAN REVIEW for November, 1909.

formed me that they could not be duplicated for the amount or near the sum which we paid for them, which confirmed your generous offer, when I had some doubts as to paying too much for them soon after their purchase, in which you offered to return the money and $100,000 bonus if they could be given back to you. The transaction has therefore been a most satisfactory one to the Department.

"Yours very truly,

(Signed) R. A. ALGER,
Secretary of War.

"Hon. B. N. BAKER,
Atlantic Transport Line,
Baltimore, Md.

Correct Copy:
R. A. ALGER,
Senate Chamber, Washington,
March 16th, 1904."

To-day the Cunard Steamship Company, so largely subsidized by the English Government, absolutely prohibits the ownership of any of its stock by other than citizens of Great Britain. The Hamburg Packet Company will not allow any of the higher officers of the company to be citizens of any other country, so jealously do foreign nations guard the protection of their merchant marine, and of such importance is it to them.

The sentiment for the merchant marine is becoming widespread and overwhelming throughout the United States. Hundreds of letters received every day and the scores of columns given to the subject in the newspapers every morning and evening show the intense interest of our people as a whole in this national question. It is not worth while now to go into the really ridiculous condition of our merchant marine. Every one knows the sad story. The question to be considered is its upbuilding, how it can best be done and how the greatest amount of efficiency can be secured with the least expenditure.

The Merchant Marine League of Cleveland, Ohio, has done more to educate public opinion all over the country than any other movement that I have ever known of, and done it entirely from what I believe to be patriotic motives, spending its own money. Whatever is done, great credit should be given to the noble men who have been giving their money and effort to this object, but the time has come to reap the benefits of the public opinion which they have so largely educated. There was never a movement of great usefulness to our country carried forward to success in which sentiment was not the moving force in the beginning. The only thing is how best to reach the result of this work.

I shall undertake to show how I believe, and I would like to

make this matter a record, that within five years our merchant marine can be increased in the oversea traffic from 130,000 tons to fully 500,000 tons, and at little cost in comparison with the great benefits it will bring to our country. To do this in a practical business-like way, and in fairness and justice to all the ports of trade of our Eastern and Gulf and Western coasts, and not in the interest of any one particular section, is the purpose.

The following is the Act of March 3rd, 1891. The underlined words show what changes are recommended:

"*An Act* to provide for ocean mail service between the United States and foreign ports and to promote commerce.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General is hereby authorized and empowered to enter into contracts for a term not less than five nor more than *ten* years in duration, with American citizens, for the carrying of mails on American steamships, between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment will best subserve and promote the postal and commercial interests of the United States, the mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf and Pacific ports. Said contracts shall be made with the lowest bidder for the performance of said service on each route, and the Postmaster-General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named.

"Sec. 2. That before making any contract for carrying ocean mails in accordance with this Act the Postmaster-General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, Charleston, Norfolk, Savannah, Galveston and Mobile, and when the proposed service is to be on the Pacific Ocean, then in San Francisco, Los Angeles, Tacoma and Portland and Seattle. Such notice shall describe the route, the time when such contract will be made, the duration of same, the size of the steamers to be used, the number of trips a year, the times of sailing and the time when the service shall commence, which shall not be more than three years after the contract shall be let. The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter eight of title forty-six of the Revised Statutes for the letting of inland mail contracts so far as the same shall be applicable to the ocean mail service.

"Sec. 3. That the vessels employed in the mail service under the provisions of this Act shall be American-built steamships, *owned and officered by American citizens, in conformity with the existing laws, or so owned and officered and registered according to law, and upon each departure from the United States the following proportion* of the crew

shall be citizens of the United States—to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers. *They shall be divided into four classes. The first class shall be iron or steel screw steamships, capable of maintaining a speed of twenty knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than eight thousand tons. No vessel except of said first class shall be accepted for said mail service under the provisions of this Act between the United States and Great Britain. The second class shall be iron or steel steamships, capable of maintaining a speed of sixteen knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than five thousand tons. The third class shall be iron or steel steamships, capable of maintaining a speed of fourteen knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than two thousand five hundred tons. The fourth class shall be iron or steel or wooden steamships, capable of maintaining a speed of twelve knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than fifteen hundred tons.* It shall be stipulated in the contract or contracts to be entered into for the said mail service that the said vessels may carry passengers with their baggage in addition to said mails and may do all ordinary business done by steamships.

"Sec. 4. That all steamships *of the first, second and third classes* employed as above and hereafter built shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and they shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a calibre of not less than six inches, and shall be of the highest rating known to maritime commerce. And all vessels *of said three classes* heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officer shall report in writing to the Secretary of the Navy, who shall transmit said report to the Postmaster-General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster-General as provided for in this Act.

"Sec. 5. *The rate of compensation to be paid for such ocean mail service of the said first-class ships shall not exceed the sum of four dollars a mile, and for the second-class ships two dollars a mile, by the shortest practicable route, for each outward voyage; for the third-class ships shall not exceed one dollar a mile and for the fourth-class ships two-thirds of a dollar a mile for the actual number of miles required*

by the Post-Office Department to be travelled on each outward-bound voyage: Provided, That in case of failure from any cause to perform the regular voyages stipulated for in said contracts or any of them, a *pro rata* deduction should be made from compensation on account of such omitted voyage or voyages; and that suitable fines and penalties may be imposed for delays or irregularities in the due performance of service according to the contract to be determined by the Postmaster-General: *Provided further,* That no steamship so employed and so paid for carrying the United States mails shall receive any other bounty or subsidy from the Treasury of the United States.

"Sec. 6. That upon each of said vessels the United States shall be entitled to have transported, free of charge, a mail messenger, whose duty it shall be to receive, sort, take in charge and deliver the mails to and from the United States, and who shall be provided with suitable room for the accommodation of himself and mails.

"Sec. 7. That officers of the United States Navy may volunteer for service on said mail vessels, and when accepted by the contractor or contractors may be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without detriment to the service, and while in said employment they shall receive furlough pay from the Government, and such other compensation from contractor or contractors as may be agreed upon by the parties: *Provided,* That they shall only be required to perform such duties as appertain to the merchant service.

"Sec. 8. That said vessels shall take, as cadets or apprentices, one American-born boy under twenty-one years for each one thousand tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers and receive such pay for their services as may be reasonable.

"Sec. 9. That such steamers may be taken and used by the United States as transports or cruisers, upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value of the same at the time of the taking between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, they at the same time selecting a third, who shall act in said appraisement in case the two shall fail to agree.

"Approved March 3rd, 1891."

Let the Act be amended as follows:

In the enactment clause, that the Postmaster-General is hereby authorized and empowered to enter into contracts for a term of not less than five nor more than twenty years in duration subject to the approval of Congress. These are the only changes that could be suggested in the enabling clause.

Second, the important clause for the extension of twenty years

in place of ten years covers the average life of a steamship. So much more *per annum* would have to be paid for a ten-year contract than for a twenty-year contract. I believe a large amount of money could be saved; or, in other words, any appropriation for these contracts would increase the efficiency of the service and lessen the amount necessary to be paid and cover a longer period of years, the natural life of a ship.

Section 2: There would be no change.

Section 3: After the clause "owned and officered by American citizens," insert the words "and no contract under this provision shall be made with any steamship line, corporation or individual, if the line is or shall be owned or controlled by any railway or railroad company in the United States. If said ownership is proven, said contract shall be null and void." The object of this is to prevent the control of steamship lines by railroad companies in such a way as to prevent the encouragement of competition between corporations and citizens proposing to bid or go into the operation of steamship lines.

Repeal: Leave out of Section 3 from the clause "they shall be divided into four classes" to the end of the clause reading "not less than fifteen hundred tons," and insert "the President shall, with the approval of Congress, appoint a special commission of experts in an advisory capacity to investigate and report the result of the investigation of the demand of each port for the establishment of line or lines under the provision of this Act."

The matter to be considered first is the necessity or advantage of the line proposed, the character, size and dimensions of the ships proposed to be built and all questions appertaining thereto. This is the most important change in this bill.

Any practical steamship man who has ever had experience in the business must know that the conditions existing in ocean lines of travel are such that it would be an impossibility to effectively and economically arrange for one definite rate of compensation. But doing it in this way with business judgment the same amount of appropriation by Congress for the purpose of building up our merchant marine would, at least in my opinion, secure far greater advantages in the proper distribution of the encouragement among the different ports with just and due consideration for each port. The same amount of money would reach much larger efficiency in increasing and developing the

merchant marine. Some lines would need much more assistance than others, and the question of speed would enter very materially into it. These questions could only be determined by taking each proposed route up upon its own merits by intelligent men, competent to reach decisions on such questions, and for this purpose I would suggest that a commission of three be named so as to cover the requirements of the War and Navy Departments, to include at least one naval officer. In this way and in no other way do I see how Congress could best utilize any assistance it gives without undue discrimination among the ports and the routes of travel. The provisions of this Act call for an equitable distribution among the Atlantic and Mexican Gulf and Pacific ports, and consequently would have to be considered upon those lines.

Section 4: In the beginning of Section 4, after "that all steamships," leave out the words "of the first, second and third classes." Leave out in Section 4 in the ninth line the words "of said three classes."

Section 5: Strike out the clause from the words "the rate of compensation" to the end of "on each outward-bound voyage" and insert the following: "The rate of compensation to be paid for such ocean mail service as the President and the Postmaster-General have authorized shall be such a rate as will be necessary to secure the establishment of the lines of steamers of such number and character as they may determine upon between the United States ports and such foreign ports as they have contracted for, but under no circumstances shall the total amount contracted for by the Postmaster-General exceed for the third year after the passage of this amendment $3,000,000; for the fourth year, $4,000,000; for the fifth year, $5,000,000; for the sixth year, $7,000,000; for the seventh year, $8,000,000; for the eighth year, $9,000,000; for the tenth year, $10,000,000, nor shall this amount of $10,000,000 ever be exceeded."

This makes a definite amount upon a graduated scale, and in my opinion is all that would be needed within that time to more than increase our tonnage five hundred per cent. Bear in mind that there is not a dollar to be paid under any circumstances until 1913, and then only during the whole of that year $3,000,000. This is all that is necessary. If Congress passes these amendments at the next session, it would be fully two years before any

corporation or association of business men could build ships of sufficient size and character to add to our merchant marine in an efficient way, and consequently there would be no opportunity to earn any such subsidy. Such is the practical way of accomplishing what I believe to be a vast national benefit to our country. It is most important, first, to secure for both our War and Navy Departments suitable auxiliary cruiser transports and carriers to cover any necessity that might arise, and, second, to develop with all foreign countries the benefits of the trade and increase of commerce certain to follow the carrying of such commerce under our own flag.

I think the question of prohibiting all railroad ownership of such lines is very essential; also the cancellation of the contracts whenever such contracts should be secured by foreign interests.

We have recently seen the great value of what might be called the travelling advertisement under our own flag — the cruise around the world by the American fleet. Thus we did in a big way what the British and German Governments have been doing for many years, making their flags familiar in all parts of the world. The increase of our merchant marine carrying the flag to foreign ports would stimulate American trade in every direction. And it is especially worth while to consider the certain returns that would follow in South America.

Under the plan here outlined, we should enter upon a world policy with absolute fairness to every interest at home, and there could be no criticism of discrimination and favor in respect to any ports or places. All would be given equal consideration, which would be the only safe and sane policy for establishing the new lines. There are only two shipping lines to-day which have ships under the American flag in the oversea trade, the American Line owned by the International Mercantile Marine and the Pacific Mail Steamship Company. There is also a short mail line to Cuba, Jamaica and Venezuela from New York. These lines should have full and just consideration for their present ships. There is one other steamship, the "Minnesota," in connection with the Great Northern Railway between Seattle and the Orient. The Pacific Mail Steamship Company should not be owned and controlled by the Southern Pacific Railway. The railroad company should dispose of this, or at

least no contract should be made while this line is so controlled. The Government should not own the Panama Steamship Company operated as a commercial line, but should turn it over to some interest.

Much has been done in the way of creating sentimental opinion in favor of this measure, but at the same time I have had few practical suggestions made from a business point of view of how it can be done. The difficulty of finding to-day in our country men thoroughly familiar with oversea traffic conditions that are not at present employed by either England, German or French interests is lamentable. Of course this is due largely to the fact that the oversea traffic is controlled by the foreigners. Our own great business men have not been paying to it the attention that they should. And while they are now awakening to the need of saving the national honor and advancing the national interest by putting the American flag upon the sea the problem comes to them with all the newness of something that they have just taken up.

We constantly hear criticism of the prohibition against allowing any American citizen or corporation to buy ships in another country and transfer them to the American flag. It seems to me that an Act could be passed to meet this objection, but under no circumstances ought foreign-built ships thus transferred be allowed the benefit of any mail contracts or be permitted to engage in our coastwise commerce. I think there will be general agreement with me on this point. For if such advantages were accorded to them the change in the law would close every shipyard in the United States within sixty days except for naval work and repairs.

Many opponents of the building-up of our merchant marine hold that the whole problem could be settled by allowing foreign-built ships to fly the Stars and Stripes. It would be well, I think, to meet their wishes by changing the Act with the restrictions I have named. But at the same time, I venture to say that if such a bill were passed there would never be a foreign ship put under the American flag. A proof of this is found in the fact that within the past twelve months three large steamers have been transferred from the American flag to foreign flags because it did not pay to run them under the American flag.

The real remedy for our present and future needs is the amend-

ment and extension of the ocean-mail service Act. This statement is made at the suggestion of many eminent Americans who have become deeply interested in the problem, and who have requested the writer to prepare a basis for action by the coming Congress. With our investment of five hundred millions in the Panama Canal and with no ships to use it the situation needs immediate attention. Too many fail to see that the Panama Canal means a radical readjustment of the commercial chart. And it would be an incredible indictment of our own good sense to spend a half-billion dollars entirely for the benefit of other nations.

BERNARD N. BAKER.

RICHARD WATSON GILDER.

BY BRANDER MATTHEWS.

In spite of our insistent habit of praising the past at the expense of the present, no student of social conditions could fairly deny that the level of life here in New York is in many ways higher than it was thirty or forty years ago. There is a keener sense of social responsibility and an acuter analysis of social demands. Above all, there is a more widely dispersed acceptance of the solidarity of the several classes of the community and a sharper recognition of their obligations to one another. At times the spirit of our citizens may seem wantonly careless and negligently tolerant of evil; yet we are capable of waking up to the needs of the moment and we reveal ourselves ready to make the best of an unexpected opportunity. At bottom we have a hearty contempt for the so-called "society leaders" who render no social service,—except perhaps that of setting a horrible example of wasteful idleness and of splurging incapacity. We are willing enough to recognize our debt to the true leaders who have ungrudgingly taken upon themselves the burden of doing the things that need to be done.

No city in the world has a group of institutions devoted to the advancement of learning and to the progress of civilization superior to the group to be found here in New York, all of them administered cautiously yet boldly by a little company of public-spirited men who are rendering an unpaid service to the community, the value of which cannot be estimated in money. The Metropolitan Museum of Art, the American Museum of Natural History, the Zoologic Park, the Botanic Garden, the Public Library, Columbia University and the more important hospitals, are institutions of which any metropolis might well be proud. Each of them is governed by a board of trustees; and

a comparison of the list of these several bodies will bring out the frequency with which certain names recur,—the names of the men who are doing things that are worth while and who are getting those things done.

On the continent of Europe this work would probably be in charge of government officials; but here in America it has been undertaken by private citizens. It is our Anglo-Saxon habit to rely on individual initiative to accomplish much which elsewhere would be relegated to the State. We are ready enough to support the government, but we do not expect the government to support us or to support all the institutions which we believe to be necessary. We rely on self-constituted bodies to take charge of many interests of the highest importance; and these self-constituted bodies can come into being and can accomplish their purpose only when the community possesses men of lofty idealism, who are willing to labor unceasingly for the public good, with no hope of any other reward than the esteem of their fellow citizens. In the fact that New York has its full share of men of this self-sacrificing type we can find the answer to the question Lowell asked more than half a century ago: "In proportion as a man grows commercial, does he become dispassionate and incapable of electric emotion?"

President Eliot has pointed out the fallacy in the assertion that "the educated classes become impotent in a democracy, because the representatives of those classes are not chosen to public office," since in the United States public office is not the position of greatest influence. "Political leaders are very seldom the leaders of thought; they are generally trying to induce masses of men to act on principles thought out long before"; and "the real leaders of American thought have been preachers, teachers, jurists, seers and poets."

Richard Watson Gilder was a poet who was also a seer, a teacher and a leader. He was the living disproof of the belief that a poet must be a weakling, shrinking from contact with the rude world and ready to retire into an ivory tower, far from the madding crowd's ignoble strife. But Milton was no skulker and Dante led a strenuous life. Sophocles fought at Salamis, Horace had seen service in the field, and Cervantes was wounded at Lepanto. In spite of a frail frame Gilder went to the front in the dark days of Gettysburg; and he did not wear the red

ribbon of the Legion of Honor with more pride than the bronze button of the Grand Army of the Republic. And he was a volunteer in many good causes, enlisting again and again in that civic warfare, the campaigns of which are longer and more disheartening than any military operations. In this civic warfare he found a desperate joy; and when he entered on one of these recurrent struggles he was no ninety-day recruit, but a seasoned veteran, who had enlisted "for three years or the war."

His poems were garnered in a single volume only a few months before his untimely death. In their transparent simplicity they disclose the character of the man who wrote them,—tender, aspiring and loyal. They display a delicate sensitiveness of feeling; they have a free spontaneity truly expressive of the man who sang them into being. They voice a genuine lyric cry; they have a fine distinction; they are the work of a true poet, even if they do not prove beyond question that he was also a great poet. They reveal his open-mindedness on every side to the influence of art in all its several manifestations, painting and sculpture, architecture and music,—more especially music. At times they make plain his manly capacity for indignation when his scorn of hypocrisy burned hot within him. In his lyrics we find no dreamy aloofness from life, even though he might disclose his kinship with Keats and with Shelley in his occasional detachment from material things. One aspect of his poetic power is evident in his scorching satire on the pretenders who mask with piety their disregard for the common decencies of life; and another aspect is visible in the lovely sonnet, "Call me not dead":

"Call me not dead when I, indeed, have gone
  Into the company of the everliving
  High and most glorious poets! Let thanksgiving
Rather be made. Say: 'He at last hath won
Rest and release, converse supreme and wise
  Music and song and light of immortal faces;
  To-day, perhaps, wandering in starry places,
He hath met Keats, and known him by his eyes,
To-morrow (who can say?) Shakespeare may pass,
  And our lost friend just catch one syllable
  Of that three-centuried wit that kept so well;
Or Milton, or Dante, looking on the grass,
  Thinking of Beatrice, and listening still
  To chanted hymns that sound from the heavenly hill.'"

Much as I appreciate these loftier poems of his with their lyric lift and their delicate purity of sentiment, I confess a keener liking for the poems in which he set forth his love for New York and in which he caught and fixed one or another of its shifting appearances,—the sonnet on "Longfellow's 'Book of Sonnets,'" in which he echoed the chimes of Grace Church on a Sunday evening when there was

> "not a trace
> of Saturday's harsh turmoil in the town;—"

the song of "The City" wherein he declared that

> "To me no music is half so sweet
> As the thunder of Broadway;"

the vigorous hexameter of "In the Cities," with its unstinted tribute to the daring of the men of the fire department;—the sequence of couplets in which he set forth the charm of "Washington Square"; and, above all, the superb and resonant stanzas on the burial of General Sherman:

> "Glory and honor and fame; the pomp that a soldier prizes;
> The league-long waving line as the marching falls and rises;
> Rumbling of caissons and guns; the clatter of horses' feet,
> And a million awe-struck faces all down the waiting street."

He had also the true poet's mastery of prose, as he proved long ago in the uncollected contributions which he called the "Old Cabinet," a series of little essays exquisite in their tenderness of feeling, full of flavor and mellow in tone, like opals that have been warmed in the hand. The only prose work of his which he cared to put forth in a book by itself and to warrant with his name, contained several papers on Lincoln, solid in structure and rich in texture. No one had a keener appreciation of Lincoln than Gilder; and no one had a more ardent admiration for the foremost of our nineteenth-century presidents. In the pages of this little volume, his understanding of the martyred leader of the nation through the troublous times of the Civil War, his sympathetic insight into the character of Lincoln the man, is not keener than his felicitous discrimination of the merits of Lincoln the author, of the marvellous stylist who was able to achieve the noble simplicity of the Gettysburg address.

As an editor Gilder won for himself a place in the front rank;

and it would be difficult to overestimate the importance of the influence he exerted upon the development of the modern magazine. Editing a periodical review of life and literature may seem easy, but it is a difficult art in which only a few have excelled. Editors are like poets in that they are born, not made; and Gilder was gifted by birth with the needful faculty. Editing is a calling for which there are no training-schools; and Gilder fitted himself for the arduous task as best he could, constantly refreshing himself by communion with the masters of old, whereby he was able to achieve a wider perspective of the present. He lived on a lofty level; but he kept a firm grasp on the realities of life. Intellectually an aristocrat, as Emerson was also, and as a poet is likely to be, he was democratic as Walt Whitman in his sympathy with his fellow man. His belief in the plain people, in their honesty of purpose, in their desire for enlightenment, and in their ultimate sagacity, was as solidly rooted as Franklin's or Jefferson's or Lincoln's.

And it was this belief which sustained him in his editorial labors and which made these labors successful. He was never condescending or patronizing to the readers of his magazine. He never affected to be stooping down to their lower plane. He felt assured of their willingness to respond to any appeal he might make to them, however exalted. I can recall now my telling him once that what distinguished him as an editor from the conductor of a certain other magazine was due to the fact that his friendly rival held the American people to be so intelligent that whatever was popular with them was likely to be pretty good, whereas he felt an even higher regard for his readers, being firmly convinced that whatever was truly good was certain to be popular also. This conviction—that nothing was too good for the average citizen—he always acted on, to the advantage of his own readers and to the encouragement of all his worthy competitors.

With the many contributors to his magazine and with his associates in its conduct, he was ever on the best of terms. He was unfailingly courteous and kindly, considerate and encouraging. He had a keen eye to discover unexpected merit, and he extended a warm welcome to the timid newcomers in the field of letters. His immediate recognition of good work was always genial and hearty. There was never any hint of affecta-

tion in his manner, no suggestion of self-conscious superiority; and this was probably because he was himself richly dowered with the precious gift of personal humility. He was never in danger of taking himself too seriously, or of overvaluing what he was able to accomplish. He met all men on the high table-land of human equality. He wanted the best—in men as in books; and the best men wanted him.

He had a special gift for friendship; and many men of many minds found in him a kindred soul. He was as close to President Cleveland as he was to President Roosevelt; and he was as intimate with Mr. John Burroughs as with Joseph Jefferson,—and all four of them were men like himself in their large sincerity and in their frank honesty. He kept his mind and his heart open on all sides; and he found his friends in many callings, in public life as well as in the several arts. If he was unduly fastidious in anything, it was in the choice of his intimates. He did not willingly fellowship with pretenders, either in politics or in poetry. To be admitted into his friendship was a testimonial to character.

When a lyric poet of abundant productivity happens also to be the editor in chief of a widely circulated monthly magazine, it might seem that his life was full enough of responsibilities, and that he need feel under no obligation to take on any other work. But Gilder was not only a good poet and a good editor, he was also a good citizen, with a deep feeling of responsibility and an abiding sense of the manifold duties of citizenship. He stood ready always to bear his share—and often more than his share—of the burden and heat of the day. A good cause could count on his unfailing support; and he was as willing to serve in the ranks as he was to take a staff appointment. The record of his public activities is as extended as it is noteworthy. It was in his home that the Art Student's League and the Society of American Artists came into being. It was in his house that the Authors Club was founded; and it was due in a measure to the solidarity of the men of letters of New York and of the United States, brought about by the founding of the Authors Club, that the American Copyright League was able to organize itself for the long struggle which resulted in the beneficent copyright bill which became law now nearly a score of years ago. He was an original member of the National Institute of

Arts and Letters; and he had early received the honor of election to the American Academy of Arts and Letters which has been established by the National Institute to contain the leaders of the several arts. He accepted election to the Simplified Spelling Board, in the hope and expectation of fitting English for wider service as a world-language and of helping to bring about the world-peace which would result from a better understanding between the races speaking different tongues. He was an ardent advocate of civil service reform; and he was an earnest supporter of the free kindergarten movement which has done so much to brighten the lives of the children and to supply them with finer social ideals.

But it is with the earlier serious effort to better the conditions of life among the lowly here in the city of New York that his name is most firmly linked. He served as the Chairman of the first Tenement-house Commission. In the conduct of its investigations he was as diligent as he was intelligent. He listened calmly and he questioned acutely; he let all the friends and all the foes of improvement say everything that could be said in support of their assertions. He brought together a mass of evidence which made it plain to all men that the existing conditions were intolerable; and he then extracted the meaning of this testimony in a report which was as temperate as it was convincing, for he had a very shrewd understanding of the art of persuasion and of the best way to accomplish things in this busy world. After the conclusion of the labor of Gilder's commission there was no possible doubt that immediate action was necessary to remedy the hideous evils then made visible to all who were willing to look facts in the face.

The bill in which his recommendations were embodied was far less drastic than had been dreaded by the opponents of this necessary reform; and this unexpected moderation attenuated the violence of the immediate opposition. It strengthened the pressure for making a beginning at once; and it became law. It was the entering wedge of a long-needed amelioration,—a wedge which has been driven in further and further by subsequent legislation, all of it in accord with the suggestions of the original commission. We can see now that it was characteristic of Gilder to be satisfied to ask at first for only a little of what he knew to be needed. With the shrewd optimism which was the result of

his understanding of his fellow Americans he felt sure that what was not given immediately would be granted in a little while after the earliest advance had justified itself. It was largely because he did not demand too much at first that he was enabled to obtain at last more than he had expected. His success in laying the solid foundation for future improvement was due not only to his tact and to his self-restraint, but also to his confidence in his fellow citizens. It is to be ascribed largely to his ingrained belief that every true reform is inevitable, since when it is once started it is certain to roll forward like a snowball gathering mass by its own motion.

"The inveterate independent," so President Butler has declared, in his suggestive and stimulating discussion of "True and False Democracy," "does a public service so long as his independence is certainly based on principle and is without suspicion of personal feeling. He must, however, resign himself to being effective only through criticism, and at the risk of the critical habit becoming censoriousness and querulousness." Perhaps Gilder was not an inveterate independent of this type,—although he did his own thinking always and kept free from the fetich worship of party symbols. Certainly his criticism never became censorious or querulous. It was saved from this by his essential optimism, by the depth and breadth of his belief in our common humanity, by his fundamental democracy. But it was aided, in this escape from the fate which has befallen the old age of not a few critics of our institutions, both native and imported, by the fact that his critical independence was not merely theoretical. It was practical always, as befitted the independence of one who was ever ready himself to man the ramparts.

Gilder had none of the haughtiness and of the impatience displayed by only too many of the reformers who have enlisted only for a single fight. He had been a soldier in many a good cause, each in its turn; and he was thus preserved from narrowness and he was saved from the expectation that everything ought to be done in a hurry, exactly as he wanted it done. It is well for a man to have the courage of his convictions; but sometimes it is better for him to have the convictions of his courage and to believe because he dares.

Gilder hitched his wagon to a star,—but, first of all, he made

sure that it was not a falling star. And he did not shrink from standing up in the wagon to say what he believed so that all could hear it. In other words, he took part in the cart-tail speaking on street corners in more than one municipal campaign. He was not the most effective of speakers; he had not mastered the technic of oratory as he had mastered the technic of poetry; yet he was able to win votes because his hearers could not fail to feel his manly sincerity and his honesty of purpose. Probably this sort of public appearance was distasteful to him, but he did not hesitate to lay aside his own feelings when he had once heard the call of duty.

And here he showed his practical good sense and his real superiority to those merely theoretic critics who content themselves with declaring what others ought not to do. In the calm quiet of an editorial office it is easy enough to urge reform impersonally, and many there are who content themselves with this task as easy as it is pleasant. Gilder was not one of these æsthetic dilettants of social and political improvement; he did not shrink from the field-work of enlightenment; he was willing, if need be, to pay with his own person. And no doubt this was one reason, as I have suggested, why he entirely escaped that jaundiced vision of mankind which is only too likely to blind the eyes of the purely theoretic performer soon after he begins to decline into the autumn of life, and which has led more than one of these disappointed idealists almost to regret that he could not live to behold the ultimate accomplishment of his prophecies of evil.

Gilder set an abiding example of civic fidelity. He stood for the best always,—in art, in literature and in life. He set high standards for himself as well as for others. There was no selfishness in his altruism, no unworthy self-seeking, no demand for approbation. He did only what he thought it his duty to do; and he found his reward in the memory of the deed itself. He had a large generosity of mind. He was free from pedantry and from priggishness; and he never assumed an attitude of affected superiority. The basis of his character was simplicity and sincerity; he was rooted in loyalty. In all his relations, personal and political, he was unfailingly scrupulous. He was as hopeful as he was helpful. He was an optimist who was also an opportunist, taking the most which could be obtained at the

moment, assured that more would certainly be granted a little later; and he felt this assurance because of his ingrained belief in the desire of most men to do what is right so soon as the right should be revealed to them. He was a poet of distinction and an editor of eminent ability; he was a leader in good causes; but when all is said, the man himself looms larger than his work.

The late Gaston Boissier declared that there were qualities which the Greeks lacked and which the Romans possessed,—"Respect for authority, tenacity of purpose, the faculty of forgetting private feuds in the face of the common enemy, the close union of all citizens for a common purpose." The English-speaking peoples, with their forthputting energy, their colonizing faculty, their administrative ability, and their hard and resolute common sense, seem to be closer akin to the Romans than to the Greeks. There is all the more reason, therefore, that we should strive to attain as far as we can to the idealism of the Greeks, to that very practical idealism which inspired the men of Marathon. It is by the aid of that idealism only that the British Empire and the American Republic can retain their vitality, preserve themselves from ultimate decay and escape the fate which befell the mighty realm the Romans ruled. Professor Mahaffy has recently declared that the danger he sees "before this generation is that which came across the Roman world insensibly and which resulted in a decadence not arrested until it sank in the night of the dark ages. . . . We, too, with all our science, with our increase of material knowledge, and our restless running to and fro, may sink into an ugly, dark, joyless conglomeration of societies, for whom new discoveries supply new conveniences, but no return to the happiness of a simpler age. . . . Happiness does not lie here, no, nor in motors, nor in turbines, nor in wireless messages across the globe, nor in daily newspapers full of inextricable fact and falsehood."

From this doom one thing only will save us, the possession of men with elevated ideals, of men who are ruled by the spirit of unselfishness, who will work loyally and unceasingly to realize their ideals and to make their dreams come true. Richard Watson Gilder was a man of this lofty type; and the city of New York is a better place because he lived in it.

BRANDER MATTHEWS.

CRIMINAL PROCEDURE IN THE UNITED STATES.

BY JAMES W. GARNER, PH.D., PROFESSOR OF POLITICAL SCIENCE IN THE UNIVERSITY OF ILLINOIS.

DURING the past summer a national conference on criminal law and criminology was held at Chicago, which inaugurated a movement to promote the study and solution of what the President of the United States has recently declared to be the most important question before the American people to-day. There were in attendance at this conference some two hundred delegates from many parts of the country, representing the various professions and organizations directly or indirectly concerned with the administration of penal justice, including practising lawyers, prosecuting attorneys, judges of the courts, jurists, professors of criminal law in the universities, criminologists, sociologists and alienists. A significant and encouraging feature of the conference was the virtual unanimity of opinion among the delegates, lawyers and laymen alike, that our present methods of criminal procedure are in many respects antiquated, largely inefficient under modern conditions and a reproach to our civilization. So impressed was the conference with the importance of the question that it resolved itself into a permanent organization to be known as the American Institute of Criminal Law and Criminology to meet annually for the purpose of furthering the scientific study of crime, criminal law and procedure; of formulating and promoting measures for solving the problems connected therewith; and of co-ordinating the efforts of individuals and of organizations interested in the administration of certain and speedy justice. As one of the means to this end it was decided to establish a journal to be devoted to the scientific study of criminal law and criminology, and a movement was started looking toward the

collection by the national and state governments of more comprehensive and reliable statistical information concerning the amount and nature of crime annually committed in the United States and the efficiency of existing agencies and instrumentalities for the detection and punishment of criminals.

If we compare American methods of criminal procedure with those of England and the Continent we cannot fail to be impressed with the fact that the chief causes of the wide-spread popular dissatisfaction with our own system are its cumbersomeness, the slowness with which criminal trials are started and expedited, the importance which is attached to technicalities and mere matters of practice at the expense of substantive justice and an altogether too wide latitude of appeal. Notwithstanding the constitutional guarantee of "speedy" trials, the dockets of the criminal courts nearly everywhere are so congested with cases that trials cannot be reached for months and sometimes for years. It was put in evidence before the New York State Commission on the Law's Delay in 1903 that on the 1st of November of that year there were 10,000 untried jury cases on the calendar of the first department of the supreme court of that state. The court was then three years behind with its work and it required from one and a half to two years to reach a jury trial in Kings County. The clerk of the superior court of Cook County, Illinois, informed the writer in April, 1907, that there were then pending 12,653 cases before the superior court and 18,828 cases before the circuit court, the former being more than a year behind with its business and the latter about two years in arrears.

The Iroquois Theatre fire case in Chicago may be cited as a typical instance of the delays in bringing cases to trial. The burning of the theatre, which resulted in the loss of nearly six hundred lives, occurred on December 30th, 1903. Two months thereafter the owner of the theatre was indicted. The indictment was held under advisement for a period of three months by the court and finally quashed. On March 4th, 1905, a new indictment was found and was held by the judge for a period of seven months and a half. Finally, in March, 1907, three years and four months after the commission of the offence charged, the case was brought to trial only to result in the release of the accused on a technicality. Such delays are not only a wrong to the accused, if he be innocent, but they always work an injury to society

and often defeat the ends of justice itself. No deterrent is so powerful as swift and certain punishment. Long lapse of time between the commission of an offence and the trial induces pity, causes loss of interest on the part of the public prosecutor and not infrequently renders conviction difficult if not impossible by the death of important witnesses, their removal from the jurisdiction of the court or from lapses of memory regarding material facts connected with the crime.

What has come to be one of the most notorious causes of delays in starting trials is our method of selecting juries—a task which ordinarily ought not to consume more than an hour or two of time, as is the rule in England and on the Continent wherever the jury system prevails, but which in America often requires weeks and months. Two of the most flagrant cases of this sort recently occurred in Chicago where nine and a half weeks were required to select a jury to try a labor union slugger named Gilhooley and thirteen weeks to choose a jury to try Cornelius Shea. The impanelling of the jury in the latter case involved the summoning of 10,000 veniremen and an examination of nearly 5,000 talesmen at a cost of forty or fifty thousand dollars to the State. A more recent case has just occurred in San Francisco where ninety-one days were consumed in the effort to choose a jury to try the president of a street-car company on the charge of bribery. In America it is assumed that one who may have casually or otherwise formed and expressed an opinion upon the merits of the case from hearsay evidence is incapable of rendering a verdict according to the legal evidence when it points to a different conclusion from that at which he may have already arrived. Such a rule renders it exceedingly difficult in important cases to find twelve men who are legally qualified to try the case. In order to lay the foundation for challenges, it has become a common practice of counsel to interrogate prospective jurors at unnecessary length concerning their domestic, social and religious affairs, the newspapers they read, their business relationships and many other matters which seem to a layman to be irrelevant. In the Gilhooley case referred to above counsel for the defence examined a prospective juror for nearly two hours, and the State's attorney put him through a similar ordeal. Under such circumstances the selection was at the rate of about one juror per week.

In England the judges refuse to permit the long-drawn-out,

rambling and irrelevant interrogatories in the examination of jurors such as have come to be a regular feature of every important trial in this country. There a prospective juror is simply asked whether he is related to either of the parties and whether he knows of any reason why he cannot return a verdict in accordance with the law and the evidence as brought out in the trial. To an Englishman any further examination seems superfluous and a waste of time. "Think of taking a month or six weeks to select a jury," says ex-Justice Henry B. Brown of the United States Supreme Court, "and requiring each prospective juror to give a history of his life and his opinions upon every conceivable subject for the apparent purpose of laying the ground, not for a challenge for cause, but for a peremptory challenge." "When I was a judge in the court of original jurisdiction," he continues, "in all of the fifteen years' time I do not think I ever spent more than two or three hours' time impanelling a jury."

T. Newton Crane, Esq., formerly of the American bar, but for some years past a prominent barrister of London, in a letter to Hon. Joseph H. Choate, dated March 31st, 1903, describing the English procedure of impanelling jurors, said: "The examination of jurors on their *voir dire* is absolutely unknown in England, while many lawyers who have been in practice for twenty years or more have never known a juror to be objected to or excused for cause. It not infrequently happens that the same twelve jurymen will hear three cases without leaving the box."* Rarely more than an hour is consumed there in the selection of a jury for the trial of the most important case. Furthermore, in England and on the Continent the judge is allowed to examine into the qualifications and fitness of veniremen before they are called for examination by counsel, with the result that the unfit are weeded out beforehand and the task of selecting the panel greatly simplified. Judge Barnes of Chicago has recommended the introduction of this sensible reform into our procedure as a means of diminishing an already large and increasing evil.

One result of the long delays involved in the selection of the jury is to increase the aversion to jury duty upon the part of professional and business men. It is not at all strange that a man

* This letter is published in the Report of the New York Commission on the Law's Delay, 1903, p. 111.

who is confronted by the prospect of being dragged away from his home and business and kept in a state of virtual imprisonment for days, weeks and even months before the trial is really started should, when asked if he knows of any reason why he cannot render an impartial verdict, resolve the doubt in favor of his own liberty and comfort by professing a prejudice which he really does not feel. This natural tendency to shirk jury duty could be greatly reduced by providing more adequate accommodations for the physical comfort of jurors and by removing the petty and unreasonable restrictions on their liberty, such as are inconsistent with the idea that jury service is a dignified and highly honorable public service. A practical illustration of the truth of this statement was furnished in the second trial of Cornelius Shea in Chicago, when the presiding judge announced at the beginning of the trial that jurors would be treated not as prisoners undergoing punishment, but as citizens performing an important public service. In some communities steps have been taken to ameliorate the hardships of jury service by providing more comfortable and homelike quarters for jurors. In Chicago, for example, luxurious suites of bedrooms, bath-rooms, a dining-room, a kitchen and a reading-room have been fitted up on the top floor of the criminal courts building for the exclusive use of jurors, in the belief that such accommodations will greatly minimize the tendency of men accustomed to the comforts of home life to evade jury service. In this connection I venture to express the opinion that the wholesale exemptions from jury duty now allowed to many professional classes ought to be abolished and every qualified male citizen between certain ages required to do jury service when called upon. The result of the numerous exemptions now allowed is to eliminate a large proportion of the best qualified citizens and to restrict jury duty, to a very considerable degree, to the most unfit classes.

One of the most prolific sources of popular dissatisfaction with our methods of administering criminal justice is the practice of the appellate tribunals of reversing the decisions of trial courts upon technical errors and granting new trials to criminals who have already been convicted. Justice Brown hardly exaggerated the facts when, criticising the American practice of allowing appeals, almost as a matter of course, he recently remarked that the rendering of the verdict was only the beginning of the

trial in serious criminal cases. The supreme court reports of all our states furnish ample evidence of the truth of Justice Brown's statement. We have reached a point where it is almost impossible to punish a criminal after a single trial, especially if he can command the services of able and ingenious counsel. Our judicial annals show that a large proportion of the criminals of this country who have been punished in recent years have had the benefit of at least two trials and convictions. It has been abundantly established by experience that postponements and new trials more often result in defeating justice than in promoting it. It is well known that after the lapse of a certain period it is almost impossible to convict the worst criminal. After the first trial the very stars in their courses seem to fight for him. Public interest languishes or becomes indifferent, the pressure of outraged opinion which operates as a powerful stimulus to the prosecuting attorney ceases, witnesses die or forget material facts, the sense of responsibility on the part of jurors diminishes as the memory of the crime recedes in the past and the case is often abandoned or the offender acquitted because public sentiment no longer seems to demand his punishment.

The doctrine of some tribunals that error in the procedure of the trial court, however trifling and immaterial, is presumed to affect prejudicially the rights of the accused and that consequently wherever such error is found it is the right and duty of appellate courts to grant new trials, is doing more than anything else to multiply appeals, defeat the administration of justice and impair public confidence in the efficiency of the courts. Some of the instances of reversals on account of presumed prejudice arising from technical errors in the procedure of the trial court would, says Wigmore, one of the highest authorities on the law of evidence, seem incredible even in the justice of a tribe of fetish-worshipping Africans. Some of the trivial reasons that have actually been assigned by the appellate courts of our states for allowing new trials are the following: because the name of the State was abbreviated in the indictment; because the word "feloniously" was omitted from the indictment, although the evidence showed that the crime was committed with felonious intent; because the indictment merely stated that the victim "did then die" instead of stating that he "did then and there die"; because the word

"maliciously" was omitted from an indictment charging the accused with arson, although it stated that the offence was committed "wilfully and feloniously"; because the indictment charged the defendant with "killing and murdering" instead of stating that he "did kill and murder" (the word "did" being held essential to a valid indictment); because the indictment charged the defendant with intent to "kill or injure" instead of to "kill and injure"; because the words "person or human being" were omitted from the indictment; because the defendant was allowed to offer evidence as to his good reputation for honesty and integrity, but not as to his reputation for truth and veracity (thus assuming that the jury might not believe the testimony as to the former, but might believe it as to the latter); because the judge was absent from the trial three minutes; because the words "on oath" were omitted from the indictment; because the officer who summoned the jury was not specially sworn; because the evidence on which a notorious robber was convicted failed to show whether the money stolen was coin or bills; because the property stolen (in this case 800 pounds of cotton) was not alleged to have any value; because the indictment which charged the defendant with burning a creamery described the offence as "arson," whereas arson is the burning of a dwelling; because an indictment charging the defendant with committing a crime at Westminster failed to state that it was the *town* of Westminster; etc. The reports of the Supreme Court of the United States likewise are not without their contributions to this phase of American procedure. In a recent case this court reversed the decision of a State court because it did not appear from the record that the accused had been arraigned and given an opportunity to enter a plea of not guilty, as if he could have been tried without an arraignment and a plea. One of the justices of the Supreme Court of Mississippi in an address before the State Bar Association of that State on May 4th of this year reviewed at length some of the instances of reversals in Mississippi for technical errors and declared that they were a reproach to the intelligence of the American people and an injustice to the civilization of the country. The rule requiring an indictment to be encumbered with useless verbiage and phraseology employed a hundred years ago in order to be sustained by the appellate courts, he declared, was a "constitutional ab-

surdity," the effect of which was to defeat rather than promote the ends of justice.

The American practice of granting new trials for technical flaws in indictments is an inheritance from England in an age long since past. Lord Hale's criticism that "more offenders escape by the over-easy ear given to exceptions in indictments than by their own innocence . . . to the shame of the Government, to the reproach of the law, to the encouragement of villainy and to the dishonor of God" no longer applies to the English system, but it describes pretty accurately the situation in America. In England an indictment for murder is not required to describe in detail the manner of the killing, but it is sufficient to say that the killing was done wilfully, unlawfully and with malice. The only purpose of an indictment is to give the accused information of the offence with which he is charged so that he may know what he is expected to answer and be able to prepare his defence accordingly. The long, verbose, detailed recitals which encumber indictments in this country are not only not essential to give the accused such information, but they tend to introduce uncertainty and confusion and render conviction difficult because everything alleged must be proven in order to secure a conviction. To a person of common sense it seems absurd to set aside a decision simply because there is a variation between the allegation and the proof when the evidence shows that the thing done is of the same general nature as the thing charged.

The practice of reversing the decisions of lower courts for technicalities has a tendency to reduce the trial to the level of a contest over errors—a subtle game in which the one who plays the most skilfully often wins regardless of the real merits of the controversy. Every lawyer who has a doubtful case endeavors to get error into the record so as to secure a new trial in case his client is convicted, while the state's attorney strives with equal effort to keep it out. The judge, who is the umpire of the game, and not much more, is in the ordinary course of things requested to charge the jury on certain propositions, and if he refuses on any point, a bill of exceptions follows and the case goes up for review. In some jurisdictions if the judge fails for any reason to charge the jury on every point involved in the case and the defendant is convicted the latter may take an appeal. In other states the judge is allowed to charge the jury only on points to

which his attention has been called by counsel, and if he goes further the foundation for an appeal is laid, although the superfluous charge may not affect in the slightest degree the rights of the accused. Thus the judge is surrounded on every side by pitfalls and in intricate and long-drawn-out trials the task of steering clear of them is difficult indeed and few there are who escape being entrapped.

Another prolific cause of reversals and of new trials in America arises from errors in the admission or exclusion of evidence. According to the American practice the admission of irrelevant evidence is nearly always fatal and a new trial will be granted, although it may appear from the most incontrovertible proof that the defendant is guilty as charged. This practice is really a perversion of the early common-law rule. The original reason for prohibiting the admission of merely irrelevant evidence was not because its introduction was necessarily prejudicial to the rights of the accused, but because it tended to encumber uselessly the record and involved a waste of time. Consequently, an erroneous admission or rejection of such evidence did not in itself constitute a sufficient cause for setting aside a verdict and the granting of a new trial unless it appeared to the court from all the material evidence that a different result would probably have been reached. To presume that the admission of evidence which is objectionable merely because of its irrelevancy is prejudicial to the case of the accused is to presume that, although the jury are capable of weighing the material evidence, they are incapable of disregarding or discounting that which is immaterial. It is not only an unwarranted assumption, but a perversion of the principle upon which the jury system rests. In England this rule was abolished long ago, and in the conduct of a criminal trial little or no time is wasted by arguments and wrangles over such questions. On this point Justice Ingraham of the New York Supreme Court recently said: "I have heard cases tried in England quite a number of times, both at the Assizes and in London, and I do not think I ever heard five minutes given during a trial of a case to the discussion of questions of evidence. I have seen case after case go through without the question of evidence being raised at all."*

* Testimony before the New York Commission on the Law's Delay, 1903, p. 247.

A committee of the American Bar Association, after an investigation of the subject in 1887, reported that new trials were granted in forty-six per cent. of all cases brought under review in the appellate courts of this country. The New York State Commission on the Law's Delay authorized by act of the Legislature in 1903 found that the proportion in that State was forty-two per cent.* An examination which I made of the decisions of the Supreme Court of Illinois covering the years 1903-1905 revealed the fact that about forty per cent. of the criminal cases appealed were reversed upon errors, mostly of practice and procedure. A comparison of the percentage of reversals in America with that in England affords striking evidence of the different attitude taken by the English appellate courts toward questions of error in the trial of criminal cases. According to a report of the Master of Judicial Statistics in 1900, 337 cases were appealed in that year from the High Court of Justice and of these only fifteen were remanded for re-trial. In the year 1904 only nine out of 555 cases reviewed by the Court of Appeal were reversed.† It is a rule of the English procedure that a judgment or verdict of a trial court shall never be disturbed or a new trial granted for error if the evidence admitted is sufficient to justify the judgment or verdict; or, if evidence erroneously excluded would not in the opinion of the appellate court have led to a different result. In short, judgment is rendered on the merits of the case, and instead of presuming that error in the procedure of the court below is prejudicial to the case of the accused the reviewing tribunal acts on the presumption that it was harmless and makes it incumbent upon the appellant to show the contrary. One result of this rule has been to greatly diminish the number of appeals in England, not more than one case in ten being taken up for review as against one in every three or four in America. A defeated party knows that he cannot secure a new trial upon technical errors, and if he has no case on its merits there can be no incentive to take an appeal.

* Page 246.

† These statistics are taken from a letter of T. Newton Crane, Esq., of London, addressed to Hon. Joseph H. Choate March 31st, 1903, and printed in the Report of the New York Commission on the Law's Delay, p. 112. According to the same report there were only 1,272 cases appealed in all England in 1903, whereas in two departments of the New York Appellate Division (comprising New York City and Brooklyn) there were 2,952 appeals. (*Ibid.*, pp. 34, 76, 246.)

The opinion is spreading in this country, not only among laymen, but among candid and honest lawyers as well, that the interests of substantial justice and social order require a restriction of the right of appeal to more reasonable limits. Justice Gaynor of New York recently described the evil of our present procedure tersely when he declared that our appellate courts review too many things and that with us "appeals have come to be pretty nearly the principal thing." Another jurist less well known has aptly remarked that one difficulty with our present system is that it is based on the "fundamental idea that a trial and a decision are always wrong" and that every person charged with crime ought to be given at least two opportunities to establish his innocence.

The present wide latitude of appeal, though in theory open to all, is in fact practically closed to the poor on account of the expense involved. The rule thus operates to the great advantage of the well-to-do litigant by opening up avenues of escape which are in effect closed to the man without abundant means. The injustice of such a system, discriminating, as it does, against the poor, has recently been pointed out and dwelt upon by President Taft, President Woodrow Wilson of Princeton, and ex-President Andrew D. White of Cornell University in public addresses. It has come to be a common belief that the rich criminal with unlimited means at his command for employing able and ingenious counsel and for meeting the heavy costs of litigation in the higher courts can by means of appeals and new trials escape the punishment which he deserves and which he would receive were he a poor man practically restricted to a single trial. We venture to assert that it is no infringement upon the constitutional right of any man charged with crime and convicted by a unanimous verdict of a jury and with all the presumptions of the law in his favor to say that he shall not be given another opportunity to establish his innocence unless it can be affirmatively shown that substantial justice was not done him in the first trial.

No appellate court should be permitted to presume that every error found in the record of a trial court works prejudice to the cause of the accused and gives him a right to a new trial. The English rule of requiring the court before granting a new trial to be satisfied after an examination of all the evidence that the error complained of was prejudicial seems absolutely rea-

sonable and just. It is gratifying to note that this rule has been recommended by the American Bar Association, the bar associations of various States and is now being advocated by many able and distinguished jurists throughout the country. It has also been incorporated in the code of criminal procedure of the State of New York which provides that in capital cases the court of appeal must give judgment without regard to technical errors or defects or to exceptions which do not affect the substantial rights of the parties. The same rule has been incorporated in the recent law for the establishment of the Chicago municipal court. This law enacts that no order or judgment of the municipal court shall be reversed by the appellate court or the supreme court unless they shall be satisfied that the order or judgment was contrary to law and the evidence or resulted from substantial errors directly affecting the matters at issue.

In England until 1907, when a court of criminal appeal was created, no right of appeal in criminal cases was allowed, though, of course, the decision of a lower court could be reviewed upon writs of error. The Home Office was expected to correct judicial wrong in criminal cases by means of pardons granted to persons unjustly convicted. The advantage of the right of appeal in criminal cases for a long time seemed doubtful to the English, and they were led to introduce it only after a popular clamor following the terrible miscarriage of justice in the case of the unfortunate Adolf Beck in 1904. The opponents of appeal pointed out that such a system was expensive, cumbrous, dilatory and ineffective; asserted that it would substitute the judgment of a court with only the record before it for the judgment of twelve men who meet the witnesses face to face and hear the testimony from their own lips, and declared that it would tend greatly to diminish the sense of responsibility of jurors, since their verdict would not necessarily be final.

This view has not been without able supporters in America, though as yet the number has been small. President Taft, for example, in an address before the Yale Law School in 1905 asserted that: "If laws could be passed, either abolishing the right of criminal appeal and leaving to the pardoning power, as in England, the correction of judicial wrong; or, instead of that, if appeals must be allowed, then if a provision of law could be enacted by which no judgment of the court below should be reversed

except for an error which the court, after reading the entire evidence, can affirmatively say would have led to a different verdict, ninety-nine reversals out of one hundred under the present system would be avoided."

In England the judge occupies a commanding position in the trial which is wholly denied to him in America. He is not only vested with large power in the selection of juries, but is allowed to review and sum up the evidence, sift out the immaterial from the material, put the evidence before the jury in intelligible and coherent form, and, if the jurors have been confused and misled by the arguments of counsel, to set them right before giving the case into their hands. There is really no danger in this principle, since it does not in the slightest degree take away from the jury its power to determine the question of fact, but only helps it toward an intelligent decision by a sifting and clearing-up process. In America, as Judge Grosscup has remarked, the judge is practically not allowed to take part in the trial of criminal cases. His position is that of an umpire or a moderator rather than a judge in any real sense. The truth is, the Americans have gone to the extreme in exalting the function of the jury at the expense of the judge. There is still a wide-spread disposition as in Blackstone's day to worship it as a fetish and to look upon the judge with a sort of superstitious fear, though in nearly all the states the judges are popularly elected for comparatively short terms. Many eminent American jurists, among them President Taft, have complained of the position of impotency to which American judges have been reduced and have urged the restoration to them of some of the powers which they enjoyed originally at common law and which in England they enjoy to-day.

In other respects the English methods of administering criminal justice are acknowledged to be decidedly in advance of ours. The New York State Commission on the Law's Delay reported in 1903 that it was "profoundly impressed" with the English system of procedure and asserted that the English courts from having been the most dilatory in the world have become in recent years the most expeditious. The Commission further declared that we "could not do better than adopt some of these modern methods of procedure which have been so thoroughly tested in England and have proved to work so well." The difference between the efficiency of the English and American methods of

procedure is well illustrated by the Rayner and Thaw trials. In each case the facts were very similar and the plea was the same, namely, insanity. In the Rayner case the trial was started within a few days after the offence was committed, the jury was selected within an hour's time, and the trial was completed and the murderer convicted before the end of the first day. Thaw was brought to trial months after his crime was committed, and he was finally sent to an insane asylum after two trials which dragged through a period of a year and a half. Had he been convicted, appeals, reversals and new trials would have followed, and ultimately the case would in all probability have been carried to the United States Supreme Court. In any case there is no reason for believing that he would have been punished, if at all, within at least three years after committing his crime.

The English Master of Judicial Statistics in the letter to Hon. Joseph H. Choate already referred to, describing the promptness and despatch with which trials are conducted in England, stated that twenty-three judges handle all the litigation of England and Wales with a population of about 32,500,000 and that they actually try and determine an average of 5,000 cases a year, or more than twice as many as are tried by forty-three judges in New York and Kings Counties.* As I write, July 1st, 1909, there lies before me a copy of a news despatch which states that the English Court of Appeal has decided practically all the appeals that were on the docket at the beginning of the present term and that it is now disposing of cases that have been down for hearing less than five weeks. This seems wonderful indeed to us who are accustomed to a system under which our appellate courts are usually from one to three years behind with their dockets.

There is no longer any excuse for the retention of our present system in the form which it has come to possess. It is totally inconsistent with the standard of civilization which we have attained in other fields, and especially with our reputation for doing most things more rapidly than any other people. It is refreshing to note that the most candid members of the bench and bar are beginning to take a more common-sense view of the purpose of a judicial trial and are joining in the agitation for reform.

Everywhere state and local bar associations are discussing pro-

* This letter is published in the Report of the New York Commission on the Law's Delay, p. 76.

posed reforms and are appointing committees to investigate and report. The law journals and magazines are likewise turning their attention to the subject, and the state legislatures here and there are considering practice acts, the purpose of which is to provide a more simple, inexpensive, certain and expeditious procedure. We have reached a point when the lawyers and courts should take a different view of the fundamental purpose of a judicial trial, should manifest less disposition to subordinate substantive justice to matters of technical procedure and should proceed more on the theory that the primary purpose of a system of criminal justice is to protect the innocent members of society rather than the criminal class. Our present system which resolves all the presumptions of the law in favor of the criminal and none in favor of the outraged community had its origin in an age when there were over one hundred capital offences in the criminal code, when the accused was denied the right of counsel and all the other safeguards now thrown around him, when a jury was liable to be fined for contempt for returning a verdict against the Crown, and when offenders were cruelly punished for insignificant offences. The old severity of the penal code has long since passed away, yet the ancient procedure with all its loopholes of escape and all the safeguards and presumptions in favor of the criminal is, to a large extent, still retained. It is largely inapplicable to present conditions, and in the interest of justice, as well as social order and security, it ought to be modified, as it has been in England, where it originated.

JAMES W. GARNER.

MR. PETT RIDGE'S CLEVER BOOKS.

BY W. D. HOWELLS.

It cannot always happen that an author's last book is his best; but in Mr. W. Pett Ridge's case "Splendid Brother" is at least one of his best; and I am glad of the occasion it gives me of writing about him and paying him a debt long due from me for many pleasures. It is now a great while since the first thing of his which I read seemed to me so very life-like that I knew it was not merely a transcript, but that sort of truth which fact precipitates after passing through the alembic of a friendly imagination. The result of the distillation in his case has been nearly always, if not quite always, a rendering of what we call, from self-avowed superiority, low life; but there has been a frequently recurrent, if not constant refinement in the processes, with always the same material; while in the perfecting of his power of showing and saying how the life of the lower classes looks and talks and thinks, he has made himself a place in literature where he is unrivalled.

He is not the less precious to me because I know where he came from, out of what Dickens Land, with bits of its grasses and leaves and brambles and artificial flowers sticking to him. The best of Dickens was his London low life, and though he was of such a make that he could not give it as it really was, whatever in his soul he might have liked to do, still he did show it in forms which could not be mistaken for figments of his controlling romanticism. In the historical order such a master had to be, in order to teach some pupil to surpass him. The like is always happening in the arts, and I need not go into the proofs; it is enough to turn from one of Dickens's rough exaggerations and caricatures to Mr. Pett Ridge's work for traces of the earlier master's tricks in the effects of the later master. Both view their

material ironically, but when their irony is about to take noble form under their touch and become beauty, the irony of Dickens slops into sentimentality, and the irony of Mr. Pett Ridge rises to sympathy. Both put their trust, up to this point of difference, in the trick of presenting their humble characters as Mr. and Mrs., and Master and Miss; but that is no longer the telling device it was with the earlier humorist, and I wish that Mr. Pett Ridge would risk presenting his types without these derisive addresses. I would the more willingly chance finding a greater pleasure in having him speak of his lower and even lowest class people by their Christian names or their surnames without the mocking convention he uses at second hand, because I find that sort of people sincerely treated in the novels of other nations without loss of humor, and with much gain of verisimilitude.

But this is not a very vital matter, and still less vital is the fault for which I will blame him before I begin specifically praising him. I mean that ungainly fashion, when writing dialogue, of putting the verb at the beginning of the descriptive clause, as in "'You're right, you little dear!' agreed Mrs. Watson," and "'Watson!' interrupted Mrs. Malden, commandingly," and "'I'm all over offers,' retorted Miss Trentham sharply," and "'Never no more,' said the ferret-faced girl from Canning Town cunningly"; and so on in a thousand other instances. Twenty years ago everybody wrote descriptive clauses so; it was part of the author's flip superiority to his subject and ease in treating it; and though many writers still use the form, it is the more pity in Mr. Pett Ridge because his style is habitually so good and so straightforward. He carries the fault into his last novel, "Splendid Brother," but there I fancy it begins to disappear. His verb is apt to arrive modestly at the place where he would put it if he were speaking instead of writing; and that ironical ceremoniousness in addressing his lowly characters in order to enhance the humorous conception of them is mainly a thing of the past.

These are defects of manner, but in "Splendid Brother" there is a defect of method which for want of others I will impute to Mr. Pett Ridge for blame. I mean that superfluity of plot in the excellent drama of character which grows more irksome as the story goes on. The notion of the younger brother's devotion to the wholly unworthy, to the effectively worthless, elder brother

is so charming and real, that it is a pity to overwork it; but the author certainly does overwork it, and to the very end keeps up the younger brother's illusion of the scamp's greatness and goodness when it could persist only through the imbecility of his worshipper. I do not know whether this is more or less intolerable because it is somehow made compatible with truth to character in all the persons of the story. Somehow, with these strands of artifice in his hand the author does keep close to Nature; and you believe in his people though you do not believe in what happens to them.

Perhaps you believe in them the more willingly because you cannot have read the author's books without giving your heart to him, if you have a heart to which certain traits of his are dear, like kindness as well as clearness of eye, mercy as well as judgement, a temperamental patience with Providence, a disposition to find a world where pain and hunger and cold and death are, still a world which is rather pleasing and always entertaining, with a prevalence of comedy in spite of a recurrence of tragedy. It is such an immense relief to be with him away from lords and ladies that one's freedom from them in his fiction is a positive pleasure; there is scarcely anywhere a title above knighthood in his fiction; but though it often has to do with the poor and the very poorest, it does not grovel. Having once done its whole duty by poverty and crime, by domestic service, by frugal domesticity, by the venial vices of tipsiness and slander and the misuse of aspirates, it has latterly shown a disposition to rise self-respectfully in the social scale, and to deal with the life of young married people who from very decent beginnings are themselves rising in the world without the shame and pride constituting snobbery. I am saying this with the amiable and admirable story of "69 Birnam Road" especially in mind. Though "Splendid Brother" is the latest of Mr. Pett Ridge's books, "69 Birnam Road" is much more modern, much more his last word in art. I say this remembering such differently excellent stories as "Name of Garland," "A Breaker of Laws," "A Son of the State," "Mord Em'ly," "Erb," "Mrs. Galer's Business," "The Wickhamses," "Thomas Henry," and the several collections of studies and sketches which form with these novels the output of Mr. Pett Ridge's most graphic, most agreeable talent. His gift as I have already sufficiently suggested, if not actually said, never tran-

scends London, except the more effectively to return to it; and mostly his mind finds ample room to orb about inside of the Four Mile Radius. His mind carries his readers' minds with it in these revolutions to such effect as to make them share the constant charm he finds in the immense, motherly, plain, simple metropolis; but "69 Birnam Road" actually begins as far away from that London suburb as Boulogne, where the tall dark middle-class bride of the short fair middle-class young railway clerk forms the acquaintance of a certain Grosvenor Square aunt and nieces, who are as perilously near high-life as the story ever comes. The ladies have really nothing to do in it but be, the elder her unpatronizing, and the younger her adoring, friends, and the story itself has little to do but to record the processes by which the commoner husband equalizes himself with his uncommoner wife in perfectly natural and probable, if not inevitable ways. There are little events, there are incidents enough, but character is the great thing, and this is portrayed not by the constant interaction of the natures of the pair so much as by their relation to their environment, to her family and to his, to their all but inexpugnable lodger, to their briskly independent and devoted kitchen-maid, to the husband's superiors and subordinates in the railway office, to the music-pupils whom the wife keeps on taking, to the worthless friend whom she wastes herself in the endeavor to "save." The thing is done with a skill so far from caricature that there comes naturally and convincingly into the drama a good, kind, common mother-in-law, whom the young wife loves and the son honors, all without artifice or pretence. The pretty situation is humorously imagined, like Mr. Pett Ridge's other situations, even when some of the elements are tragical (they are never so false as to be wholly tragical), but it is not burlesqued; and I like the story especially because it seems to me, rather beyond the wont of the author's stories, to deal truly and justly and reverently with the nature of women. All his stories measurably do this, whatever the women are; they are so just, so beyond generosity, that short of "votes for women" they come nearer doing the duty of men by women than anything else I can think of at the moment. Many authors are praised for a "knowledge of women" which is usually evinced in the trick of the feminine inconsequence of thought and speech, but Mr. Pett Ridge seems really to understand them: their nobility of

character, their courage, their goodness in circumstances which would turn men cruel, their superiority to origin and environment, their gracious-mindedness, their maidenly, wifely, motherly devotion to all types, good, bad and indifferent, of the other sex, as well as their lightness, weakness, narrowness; their often vulgarity, whether in high life or low; their readiness to flirt and to make fools of themselves as well as of men; their deceit and insincerity, their suspicion and jealousy, and the other ugly traits that deform their character, and are at least as much a part of their natures as the corresponding defects of their qualities are in men.

Seeing how very exceptionally well Mr. Pett Ridge paints his socially superior women, who are never socially superior to excess, but are dear and lovely persons, true ladies by nature and by self-breeding, like the young wife in "69 Birnam Road," it will not do to dwell exclusively upon the pleasure he seems to find in realizing so convincingly and so surprisingly such below-stairs persons as Mord Em'ly, Winnie Garland, Flossie in "69 Birnam Road," Caroline Hooper in "A Breaker of Laws," the poor girl who is the heroine of "Lost Property," Annie Garrett in "Thomas Henry," Mrs. Galer in "Mrs. Galer's Business," and the like quick-witted, quick-tongued, clever-minded and right-hearted girls and women in his other stories. It is his peculiar good fortune to be able to present these persons rather truer to life than they could present themselves, with their better natures showing through their worse conditions. Nothing more democratic has been achieved by literary art, nothing more consoling or encouraging to such as hope for beauty only from truth. The wonder of these excellent figures is as much in the reticence and moderation as in the delicate accuracy with which they are rendered. It would have been so easy to have overdone them, to have painted them low-life heroines, instead of sheer serving women, faithful, affectionate, able, honest, decent and often wise beyond their betters, with a distinct conviction of their rights and a just sense of their privileges, and with their hearts always, if their aitches seldom, in the right place.

Mr. Pett Ridge proves himself a master in such matters. He is peculiarly a master in his rendering of youth in every phase, and particularly of youth in love; yet he knows his cockney youth of both sexes not only as lovers, but also in

those relations of son and daughter so apt to be blinked by "passionate" fiction. There is, thank heaven, very little "passion" in his fiction, though abundant sweetness and absurdity in the love-making as there is in love-making outside of fiction. He is primarily a humorist, and it is inevitable that he should regard his lovers, wedded and unwedded, humorously, while he does not ignore their potentialities of pathos. I wish I could show how admirably he does this; I venture to suggest that it is in his habitual employment of oblique narration that he is able so fully to impart a sense of character, and vividly to supplement his life-like dialogue. By this means, though not by this means alone, he makes the reader a silent partner in the story-telling enterprise, and as privy to its progress as himself, almost. The reader may well pride himself on helping tell the stories so well, for they are well told, with a confidence which is oftenest manifested in a device not employed, to my knowledge, by others. A certain event is portended, and then, suddenly without formal proclamation, the event is accomplished, and you are in the midst of the result, with a distinctness, more than anything else like that expressed by the dial of the taxicab, when suddenly, after the charge shown is seventy cents, you look again and find it is eighty cents; and you have come just so much farther on your way.

I should very inadequately indicate my sense of Mr. Pett Ridge's scope if I limited it to recognition of his excellence in painting the female figure. His men of every age; his youth and boys, down to the very babies, are wonderfully well done. They are all of that vast London world of his, or so nearly all that the country folk do not count, or do not count as country folk. They become as essentially Londoners in coming to it, as if they had been born to it, like the family in "The Wickershams"; or for that matter like Mr. Pett Ridge himself, who probably owes to his country origin the insatiable curiosity about London he makes his readers share with him. His Londoners are of every calling and of every station below those bald and arid heights where society dwells. Good or bad, they are always for the reader delightful husbands, fathers, brothers, friends, but they are perhaps most interesting as the sons of worthy or unworthy mothers. The very nicest touches of Mr. Pett Ridge's art are given to portraying one of these sons, the son, namely, of Mrs.

Galer, as a prig, springing from the London soil, but flourishing in the air of the National Schools into a true use of aspirates, and a shame for his beginnings. It almost breaks the heart to find the son of Mrs. Galer going that way; and it is a throb of grateful joy that the reader shares with the mother when the young penitent saves himself in the last chapter, and remains as true to her as she to her laundry.

I have the belief that a conscientious agitator and labor leader, whose self-education does not embrace the last niceties of speech and manner, but whose head is clear and whose purpose is unselfish, has never been better done than in Herbert Barnes, whose nickname of "Erb" gives the title to his history. I do not recall any of Mr. Pett Ridge's stories which are wanting in shape, but this is one of the shapeliest, and deserves to rank for form with "69 Birnam Road," or "Name of Garland," or "Mrs. Galer's Business." It arrives at a satisfactory conclusion by a series of probable events from temperamental impulses; and if there are readers so public-spirited that they cannot reconcile themselves to "Erb's" preference of certain private happiness to uncertain public usefulness, there are none who can deny that he had just cause to withdraw from the service of suspicious partisans and unjust censors. Here, however, the question is not of what such a man should do, but of what he would do, and it is evident that the author truly reports what "Erb" did.

His character is as firmly grasped, as subtly felt as that of the thief-hero in "A Breaker of Laws." The dishonest nature has been treated often enough in fiction, from the time of the picaresque novels down past the age of romantic footpads and burglars to our own time when the criminal is so habitually outwitted by the detective; but I doubt if it has ever been so thoroughly appreciated, so simply, so unsparingly yet so mercifully shown. You are made to appreciate the kleptomaniacal passion as something pathological, like the passion for drink, and in the given case you have a scientific insight of the indolence, on which it bases itself, as physical disease. In the end the born thief dies of the tuberculosis to which he was also born; but it would be a mistake to imagine that any sentimental means are used to bring the reader to final compassion. He is no more provoked to tears for the dying thief than he was provoked to laughter by the picaresque hero; throughout the story is in-

tensely *business,* and the misery that the thief makes for others as well as himself is something that he is ultimately made as sensible of as the reader is.

It is not to be supposed that the author's intention in the story was either ethical or scientific. As an artist the æsthetic value of his scheme was chiefly precious to him, and his allegiance to anything else is expressed solely by his devotion to the truth. To get it like, to keep it faithful, to guard himself from the temptations of the heroic or romantic was his affair, and if from his negative virtues positive good resulted it was not to his honor and glory, but the honor and glory of the truth. His thief is one of the denizens of the London world in which nothing seems to have been lost upon the author, at least on those planes where he chooses to study its life. If it is objected that whole classes and orders are left out of his London, it may be answered that the immeasurable majority of Londoners are of the classes and orders which he peoples his fiction from. His excellence for me, his perpetual charm, his unfailing art is shown in his showing his Londoners as they really are. The lowest of them are not merely squalid, the highest are not merely splendid. They have at the worst the qualities of their defects, and at the best they are not so good or so beautiful that they bore me. I might say that he has perhaps a furtive kindness for the great (as the persons of the fashionable world used to be called), but before I openly accused him of this, I should like to think twice. I should have no more right to accuse him of it than I should have the right to blame him for inviting me to believe in the lovableness of the lowly, as he so often and so successfully does. In the mean time, I cannot wonder at his so habitually preferring the company of the poor. It is one of the compensations for much privation and discomfort that their conventions (and they have their conventions) do not hamper their natures. It has been noted by American observers that all classes of the English are rather simple, or at least far simpler than we Americans are. They are apt to do and say outright things, whatever their order or degree; only, on the upper levels of life their wilfulness seems oftener stupid and more mischievous than on the lower. If we are to credit Mr. Pett Ridge, the average lower middle-class cockney, down to the lowest, has not only the wit of proverb and slang, but very often a personal

drollery, a delightful irony, a gay banter which the visiting American does not find at the tables of his superiors where the American resorts, and where he finds his best jokes ignored. If I might say it without wounding the just self-love of such Americans, I would say that the most characteristic mood of Mr. Pett Ridge's cockneys was an American mood. Their attitude toward life seems like ours; they quickly seize upon our slang, and adapt it to their conditions, or use it unchanged in the original package. If this is giving my nation away as plebeian, as middle class, as lower middle class, I shall be sorry for such of us as it wounds, but I shall always be ready to defend, to glorify our nation for that very reason. Our commonness is what makes us a great family, and keeps us interested and interesting; and the few of us who are not of that commonness are almost as dull, dry and tiresome as the American finds the English upper classes when he finds them at home. Our commonness springs from the solidarity of our conception of life, and it is a pity for us when our experience denies this, for then we lose our zest in which our charm mainly lies.

Such of us as are of Anglo-Saxon extraction (by which I mean Scotch, Welsh and Irish as well as English extraction) find in our novelist's London the homogeneity which we miss more and more in our poor dear, demoralized, distracted New York. Our likeness, one to another, is national, not municipal; and the New York Anglo-Saxon is more likely to find his mate in Chicago, or Boston, or Cincinnati than in First Avenue or Eighth. But it is different in England, in London, and of such unison is the imperial heart-beat that the same pulse is felt in every provincial. It is probable that the English-speaking reader of Mr. Pett Ridge, no matter in which of the seven seas he has learned his mother tongue, will find himself more brother to the people in these amusing and convincing books than to those in the polite fiction which ignores the London of "Nearly Five Millions," with the multitudinous dwellers "Up Side Streets," and in the simple-hearted suburbs.

Quite imaginably London will change, but it will not change so quickly or so thoroughly that the London-nature in these stories will not long know itself there. We who live as far away as five days or three thousand miles can put us, but have our frequent summer glimpses of the great plain mother of all

Anglo-Saxon capitals, can rejoice in the traits and features reflected in a glass which does not distort them; and if we will not acknowledge that they must be like the originals because they are so largely like our own, still we can recognize their likeness.

At the risk of seeming to say the thing over again, I wish to note the prevalent cheerfulness of their huge, dim, straggling world. They have a gayety under their dun sky which serves to light it up as with a luminous electricity; and an agility of wit which gives their work an effect of sport. As Mr. Pett Ridge sees them they are nearly always at work, heartily, gladly, and eager to rise in the line of their calling. Clerks, shopmen, artisans, servants, small officials in railway companies, express-men, subordinate civil employees, landladies of lodging-houses, teachers of lower grade, these form nine-tenths of the population in his densely peopled fiction, and I warn in time those patrician readers who do not care for

"Their homely joys and destiny obscure"

that they will find little to their liking in it. They will find scarcely any one in it with whom they can associate on equal terms.

At a go, I should say that Mr. Pett Ridge has done for the humbler London world what Anthony Trollope did for the fashionable world, and has done it with an equal pleasure and equally simple fidelity to its many phases. As far as its lesson to literature or literary art is concerned, I need not insist. The author's success comes from his truth to his environment in no unconscious or involuntary wise. He is quite as wide awake as any of the agile-witted folk whom he hears and sees about him, and makes us hear and see with him. He paints them because the passion of his genius is for them, and because he exults in their overwhelming, their inexhaustible abundance. Their homogeneity lends itself to his love of them; to see such a mass of humanity as a whole and then to project the chosen figures individually against the mass, is his fascinating employ and the source of a success which I should wrong if I exaggerated it. But I may at least praise it as his immense good luck. It is great good luck, but not perhaps the greatest good luck. In fact it seems to me, here at the end, that it is no greater luck

than that of some born artist who finds himself in a meagre village, and makes a London, makes a world, of it by truly seeing, by truly showing, its life. In this sort there is no comparative. The opportunities of art are all positive; the subject is in the artist if he is true to the object outside of him. If in this I am taking back what I just said of Mr. Pett Ridge's extraordinary fortune, perhaps it was time to do so. I had really no wish to dwarf his achievement by saying that it came from his opportunity. It is on his achievement rather than on his opportunity that I could wish to congratulate him. Perhaps some lover of Manhattan will yet arise who will find her picturesque and dramatic heterogeneity his opportunity and make it his achievement. But I do not see him yet. Stephen Crane might once have been he.

W. D. Howells.

THE APPEAL OF POLITICS TO WOMAN.

BY ROSAMOND LEE SUTHERLAND.

If there is truth in the theory that anything desired earnestly enough and sought with sufficient persistence in time becomes a fact the friends of women's suffrage should take heart. We easily remember when only a few devoted women espoused the cause. Now it has become an avalanche, crowded on by the thought force of millions—not of women alone, but of the most enlightened and level-headed men—the leading statesmen of the day, not only in America, but the wide world over—penetrating even the ancient shadows of the Orient. Whether the ballot—a voice in the political organization—is necessary to the women of America may be reasonably disputed. To my mind they are doing exceptionally well without it, but no man or woman cognizant of the facts and capable of giving serious consideration to them can reasonably deny that the voice, the mind, the influence of women, would be vastly helpful in the development, the preservation and material advancement of our country. In other words, it is becoming more and more apparent that woman in America is essentially desirable as a factor in the field of political activity.

Why men, however ignorant or feeble-minded, just because they are men, should be credited with exclusively possessing a Heaven-bestowed ability of governing, to which women, whatever their training or mentality, may never aspire, must forever remain one of the unexplained mysteries. That even men are not all qualified for the ballot or entirely beyond criticism in its use might be suspected by the unregenerate from a perusal of the newspapers, say, at the time of the recent election in New York City, or any other large city, for that matter. When the ballot shall be given to women—as it is sure to be sooner or later—is it thinkable that

any of them will make a worse use of it than some men are now doing? On the other hand, is it not quite possible, indeed, is it not probable, that there will be an improvement?

It has been argued adversely that to give the ballot to women would but double the vote without affecting the result, as most women would follow the party convictions of father or husband, but if danger of doubling the vote through a tendency to follow a husband's or father's footsteps is a valid objection to giving the franchise to women, then as a general proposition a man's sons should not be given a vote for the same reason. Our politics as well as our religion are, after all, largely matters of inheritance and environment, and if the objection is good there should be but one voter in the family—the head of the household. If death has removed the father, for example, the mother is, or should be, the head of the house and the property-owner. Why should she not then be the one to cast the vote? It might really be a better plan than the present system under which large property interests must often go wholly unrepresented, except on the tax list, until a son becomes of age.

The distinguished former Minister of China, Mr. Wu Ting Fang, said in effect that he believed in equal suffrage for this country because he had met so many educated and intellectual American women perfectly competent to exercise a voice in government, but he deplored the fact that it would be necessary to include so many ignorant and unintelligent women. What about the ignorant and unintelligent men who vote? Does that phase of the question trouble anybody? Well, incidentally we are arriving at a general impression that a qualified voter, regardless of sex, should be reasonably intelligent, should possess some education, perhaps be the owner of some property and a citizen interested in good government. If these general qualifications were required by law no one need care whether the individual qualifying was a man or a woman, and who can deny that the ballot would be immeasurably elevated and purified thereby, even though capable women were to take advantage of the opportunity and vote. On the other hand, that the entire question, with all the grave responsibility involved, should be simply one of age and sex is unjust and absurd.

Coming, as I do, from a State which conferred the dignity of the ballot equally upon its men and women citizens at the time

of its admission to the Union in 1896, I have seen some of the practical workings of the system and I feel sure that the men of that State whose opinions are valuable will agree with me that it has been a success. Very nearly as great a percentage of women as of men exercise the privilege. The Australian ballot is used and I venture to assert that the average woman votes quite as intelligently and often more conscientiously than the average man. Most men participate to some extent in political life, and they do so from motives as varied as their temperaments, many, of course, from a high desire to serve their State and country to the best of their ability. Others do a certain amount of perfunctory political work because it seems an obvious duty of citizenship, while altogether too many others exercise the right to vote without the slightest appreciation of the grave responsibilities involved. Women will enter the arena in the same serious, conscientious spirit with which they go about everything—their club life, for instance, which is solemn and earnest enough, Heaven knows. One woman by herself may be foolish and frivolous enough to please the most exacting man; but woman *en masse* is a different proposition. Let a number of women combine for any purpose—they rarely amuse themselves or accept events lightly, but usually proceed to make a life-and-death matter of everything. That very quality of earnest concentration might, however, prove a winning card in politics. Women possess, besides, qualities of patience and persistence to an almost alarming degree, as illustrated in this very struggle for a voice in their own affairs. It will never be necessary in this country to resort to the drastic militant methods of our English cousins. The women of America will win out by patience and persistence rather than by the resort to more spectacular methods, and they will carry these characteristics with them when the gates they now assail are opened and they enter the political arena.

Long centuries of enforced devotion to small affairs have developed in woman a genius for detail; a quality in which men are often deficient, but a talent obviously as desirable in governmental housekeeping as in the domestic household. Judge Grosscup, of Chicago, in a recent address to the Ossoli Club, the woman's auxiliary of the Highland Park Club, is reported to have said, among other uncomplimentary things about women, that they could never be successful in the manly professions, in

which he includes scientific research, because these professions require so much attention to minutiæ, and, while declaring woman to be essentially a creature of detail, he deplored her inability to consider more than one detail at a time. Would it not be fairer to put the proposition the other way about—instead of condemning woman's inability to pay attention to more than one detail at a time, commend her ability to concentrate her mind upon one thing at a time, which has always been regarded as rather a valuable accomplishment? In the very professions in which he says women can never succeed, women have signally succeeded—who does not know of them except Judge Grosscup?—and in many instances that genius for detail was the secret of success. He admits that he knew one successful woman lawyer, but that, unfortunately, she began her career by throwing an ice-pitcher at an offending judge. If she rounded out a successful career, and only threw one ice-pitcher at one judge, does it not speak well for the forbearance of the individual and of the sex. He neglects to enlighten us as to the character of the provocation, or to furnish for comparison a list of the lawyers of the more self-contained sex who have been guilty of like turbulent conduct. Even in the austere halls of Congress great men have thrown things—epithets, books, canes, inkwells—at each other more than once or twice, as the Sergeants-at-Arms, who have removed the débris, can testify. Fights between men lawyers in our court-rooms find passing reference in the local columns of the newspapers and are forgotten, but if one woman lawyer throws an ice-pitcher at a judge—he was probably exasperating and deserved it—the incident goes down in history, not as the idiosyncrasy of an individual, but as a black mark against the sex. Even in her restricted sphere woman's talents have wonderfully beautified and enriched the world, and they will continue to beautify and enrich increasingly as her field of usefulness broadens.

According to Professor Heydeman, of London, women are morally, mentally and physically inferior to men and but a shade in advance of the chimpanzee. (I trust the professor is an orphan and a bachelor.) Further, he predicts that the difference is certain to increase, because men are bound to progress while women will not. He says this is a law of evolution. It is a law hitherto unknown to science, that one-half of the human

family should continue on the spiral path of progress while the other half remains undeveloped. All his wonderful discoveries have been made by the simple method of measuring a few skulls, and finding that, as a rule, the skulls of men measured more than those of women. He does not find it necessary to consider that men's bones are all larger, as a rule, than those of women, or that the matter of race might count. With all due respect to the learned professor with the tape-measure, I have seen some very dull men with large heads. Individuals of the human race are supposed to inherit their traits of character, their tendencies—moral, mental and physical—from their progenitors. This being true, is it not fair to imagine girls sometimes inheriting the mental strength of the father? It would be palpably absurd to say that girls inherit only the traits of their mothers, or that all the best and most brilliant in a father was always the birthright of his son. Such a condition is not even approximately true, yet it would have to be wholly true to bear out Professor Heydeman's theory of man's development. While heredity is much, environment is perhaps more. During the impressionable plastic years of childhood every boy as well as girl is under the direct management and influence of some woman and subject to the atmosphere and environment she provides. The great and good men of the world are eloquent witnesses of the tender wisdom which moulded them and secured the environment necessary to their development. It is worthy of note, Professor Heydeman, that when a boy goes wrong, it is often said that he had the unfortunate example of a bad father before him, but when a great man is being eulogized the last word usually is, "He had a remarkable mother."

It has sometimes been suggested that it is not quite womanly for women to insist upon the right to vote, that women are too good for politics, that in some mysterious manner the exercise of the high and sovereign rights of citizenship at the ballot-box is degrading. If women are too good for politics, it might not be altogether illogical to suspect that politics need bettering even for men, and, as "a little leaven leaveneth the whole lump," may it not be just possible that, instead of women being brought down by contact with politics, politics might be lifted up a little by contact with women?

A recent article on the subject of equal suffrage objects to the

ballot being given to women because of their inexperience. Is there any way but one to gain that experience? The stress laid upon this argument might almost cause the frivolous to smile. As sensibly might a mother say: "As soon as my daughter can play well enough I shall allow her to begin using the piano. Never having tried, she is yet too inexperienced." How did men gain their experience? This, in reality, is precisely what woman wants—what she is asking for—the opportunity to gain the necessary experience. The same writer suggests as a balm and a bit of good advice that if the high-born women of England and the influential women of America would use their influence and prestige in quietly co-operating with men to effect remedial legislation much good might be accomplished. Again, the opportunity to do just that is precisely what women are asking. Unaided and against opposition or with faint encouragement, women have already secured many benefits to humanity through remedial legislation—or without it—but believing they can much more effectively co-operate with men, accomplish infinitely more for the race if standing upon an equal political footing, with a real voice and an effective vote, the "high-born and influential," or better, the earnest and intelligent women have determined that there is a place of greater usefulness for them in active politics to be satisfactorily filled by them only through the equal franchise. And is it not true? Are there not many ways in which the active voice, as well as the passive influence of women, is sadly needed in remedial legislation to-day? Does not the cause of working-women need serious attention? Would not schools, hospitals, charitable institutions, be better managed if women had a voice in their control? Men and women work shoulder to shoulder as teachers, clerks and in countless capacities as wage-earners, but the men almost invariably receive much better salaries, not because they do better work or are more trustworthy, but simply because they are men; which is unjust, illogical and all wrong. In the State of Utah, for example, where women have a right to vote, there is a statute requiring that women teachers in the public schools shall receive the same salaries as men teachers when of equal grade and standing. The crying evil of child labor would surely be eradicated were women instrumental in making and enforcing the laws. The fact that children from six years old and upward are allowed to work in cotton-mills,

that young boys spend their childhood in glass-factories and coal-mines, to be mentally and physically crippled and remain undeveloped, is a horrible blot on our national escutcheon. No cry of suffering childhood can pass a woman's heart unheeded. To safeguard the children is to insure the nation's future, but the protection and relief of children is a detail in the scheme of government which men often seem to avoid. The evils of child labor have been discussed on the floor of the Senate and in the press, but little has come of it. The making of tariff laws, the building of the Panama Canal, the regulation of railways, the establishment and opening of waterways, all matters of importance in themselves, absorb the attention of our legislators, while the welfare of thousands of helpless children, their health, their very lives, seem little things altogether too readily overlooked or ignored. Men know but do not always seem to appreciate the vital fact that the children of to-day are the men of to-morrow. In developing and realizing the mighty dream of perpetual, international peace, woman's voice is needed, and her active instead of passive co-operation would be productive of incalculable good. Men cannot realize as women do, through generations of effort from their obscured position, how hampered is their every word and act by their political inferiority. The wonder is that they have kept their courage and accomplished so much already without the recognition which they manifestly deserve.

Men have played a lone hand at government since the dawn of time. Since the days when they clubbed their mates, and dragged them to their caves by their hair, up to the still chaotic and imperfect conditions of to-day, with unsolved problems, with bad laws on some subjects and no laws on others, men have needed help and they still need it. This help the women are now proffering and wise men are recognizing the wisdom of accepting it.

To me the idea of the dominance of either sex is thoroughly repugnant. I deplore beyond expression the thought, too often advanced, that women desire to usurp the prerogatives of men. The fairness of women to men is as important as the fairness of men to women. Neither man nor woman should be thought of as superior. They are simply different. One is the complement of the other, and it takes both to compass, successfully, symmetrically and perfectly, the situations and problems of life. Men and women cannot work together successfully for the good

of the world so long as man insists upon standing on a pedestal of his own construction and keeping woman an appreciable step below him. But swift changes are taking place.

The emancipation of woman is a natural evolution which can no more be stopped than the tides of the sea. It is a thought-force sweeping the world. The women of Denmark and Sweden, France, England and Canada, are making determined efforts for recognition. President Fallière, of France, in a speech at Paris, October 30th, said that he hoped himself to see equality between the sexes fully realized; that he believed women should be on an equality with men in actual life, with the same laws for both. The women of New Zealand vote and have done so for years, but are beautifully feminine, nevertheless; they seldom speak at political meetings, but do no end of political work among themselves and in winning over doubtful voters. Lady Ward, wife of the Premier, says that, though the women are intensely interested and well informed upon all political propositions, they are exceptionally feminine, and the homes of New Zealand are ideally domestic. President Taft, in a recent speech in Alabama, said that he would advocate woman's suffrage when *all* women wanted it. We must persuade him to go a little farther than that, for the condition is obviously impossible. Why should we depart in this instance alone from the time-honored maxim that the majority rules? It is urged that all women do not want the ballot and would not use it were it granted. That of course is true. Not all the slaves of the South were able to comprehend emancipation, not all of them wanted it and some remained voluntary slaves to the hour of death, but that did not affect the principle. Many men also fail to appreciate the duties and privileges of citizenship and do not vote. They are drones in the political hive. Some women might also be in the same class. But that does not affect the real question.

We are told that women have other duties. True. So have men, quite as exacting and necessary; for while woman is the home-maker, man is the wage-earner. Of the two perhaps there are more women to-day not vitally bound by domestic ties, but free to live their lives as they will than there are men free from similar demands; and I see no good reason why their country should be deprived of their help solely because they are women. It is not many years ago that even here in America it was devout-

ly believed that only the boys of the family should be educated; that girls must simply be trained to the drudgery of the household. But the world does move and woman has ceased to be an automaton. Every day she is becoming a more important factor in the world's work. The gates ajar must be swinging wide indeed since the Royal College of Surgeons in England announces that from January 1st next it will admit women to examinations. One by one the barriers are breaking; and in some near day we shall have reached, through experience, a sane and civilized idea of the value of co-operation of the sexes in all questions of business and political economy. Our children's children will look back with wonder to the time when their mothers had to struggle and plead for justice and fair treatment from the men of their day.

Even so recently as in Jane Austin's time, it was considered indelicate for a woman to write a book. Her position in the journalistic field to-day speaks for itself. But in all this struggle for emancipation one pregnant fact appears: every step has been a step forward. No advantage gained has ever been relinquished. Woman is everywhere to-day in all the arts, the sciences and the professions; and her activities in every field of endeavor wonderfully illustrate her power and flexibility of mind and suggest that all that is needed for her ultimate success in whatever she elects to do is opportunity. *The opportunity!*

I am not a member of any suffrage association, but I had the honor to be asked by my home State to represent such an organization a year or so ago when a plea was being made by women for a constitutional amendment before the Senate committee whose *duty* it was to listen. The States were represented by carefully selected women; no one could for a moment have entertained any question of their equality in every way with the men they addressed. Yet those solemn Solons only "permitted" a limited number of the women to make their little speeches, to which they listened with an air of bored resignation, although the remarks were so bright, concise, even eloquent, and so unanswerably logical that men accustomed to listening from day to day to speeches made in the Senate Chamber might at least have shown a slight appreciation. It was a sight to wring tears from the gods to see such brilliant, educated, cultivated women pleading with those men for the privilege of standing on the same plane with them:

begging to be allowed an equal voice in the management of their own country with the ignorant riffraff of foreign nations scarcely able to read or write or speak the language—or any language. Of course the committee had no idea of taking any action in the matter, and when the allotted time was over it rose as one man and solemnly filed back into the Senate Chamber without a word.

At the same time when this committee was in session in the Senate Marble Room a similar committee of the Lower House was giving a hearing in the south wing of the Capitol on the same subject. Before this committee a bright little lady from Louisiana was presenting the views of the women of her State. In the course of her remarks she referred to the four States which had already conferred the ballot upon women. She was promptly interrupted by a member of the committee, who asked that she would "please confine herself to facts"; and assured her that no State had as yet committed the folly of which she spoke! *This* from a member of Congress, who evidently intended to use his vote and influence to withhold the franchise from women because they do not know enough to vote. *This* from a man considered sufficiently intelligent and well informed to be elected to Congress to pass upon all national problems, and who doubtless felt and still feels ably qualified to decide the question of woman's inferiority. He actually did not know a fact of such political importance as that women were admitted to equal suffrage in Wyoming in 1869, in Colorado in 1893 in Idaho and Utah in 1896.

The demand for suffrage is not sectional. It has its adherents in every State and probably in every town in the Union. Even our conservative and clinging sisters of the South are flocking to the standard. Nor is there any class distinction. The cause is equally dear to the heart of the woman of wealth, the leader in exclusive society, the professional woman and the shop-girl. It is no longer true that a woman is looked upon as idle, eccentric or a faddist if she declares herself an adherent of the cause. The vital strength of the movement is that the intelligent, educated, refined home-loving women of America are behind it. That is the reason it must and will succeed.

Some excited utterances of the less rational have given the very false impression that woman has an ultimate desire to

dominate and assume the reins of government. This I know to be far from the truth. Few of those who give real strength to the movement have any sympathy with the methods of the "shrieking sisterhood." Woman is instinctively a home-maker, and where it is possible that is the life she chooses. But that vocation does not prevent her paying taxes if she has property. It does not exempt her from answering to the law if she commit a crime. It should not prevent her from taking an interest in the election of proper persons to make the laws she advocates and enforce them.

We are quite accustomed to having our grandmothers and their domestic perfections thrown at us as samples of what woman and woman's life should be. Incidentally I want to say that they probably had a very dull time of it and so did our grandfathers. How with all the wearisome, monotonous drudgery required of them, and little else in their gray lives, they ever survived long enough to become our grandmothers I cannot understand. They could and did spin, weave, knit and make all the apparel for the family. They had to prepare, preserve and cook all of the food and keep the larders and cellars stocked for summer and winter consumption. They were expected to wash, iron and churn and perhaps give the younger children a few daily lessons. For recreation they worked precious samplers with colored wools.

It is not the same Moloch of a world to-day which our grandmothers knew. We can buy our children's clothes infinitely better, prettier and cheaper than we can make them, not counting the cost of time and eyesight. We no longer stock our larders with a season's supply of comestibles of our own preparation. We have better methods of doing things to-day. Modern machinery has done inestimable service in releasing women from the treadmill of household labor. Grandmother's accomplishments would count for little even if one possessed them all. Even the cherished samplers have lost their charm.

The modern home-maker finds that with the aid of gas, electricity, the telephone, steam laundries, public markets, and the thousand conveniencies of modern life, her household machinery moves easily and rapidly, with a minimum of exertion to herself, so that with John's dinner ordered, the children safely off to school, she has plenty of time to read, to see her friends, attend

her clubs—to study politics and vote, if she has the opportunity—and still do vastly better home-making than grandmother ever dreamed of doing.

It is just possible that if political equality had been ours from the beginning in this country, without the long and bitter struggle for it, we might have prized it less keenly. So all the more for the effort, when it comes—and it is so right that it must come—suffrage will be held a dearer privilege and more sacred possession by the women of America than it ever has been, or ever can be by the men, born to the purple. It is because the women of America are loyal and patriotic citizens; because they know the necessity of having good men in office; because they want good schools and the children protected from every evil that they may become good citizens in the future; because they believe that they can do infinitely more toward attaining these things if they stand on the same plane with their husbands and brothers, with the same interests and hopes that they are asking to be treated like reasonable human beings and given the ballot.

No one claims that *all* women are thoroughly conscientious or that their judgment would never be at fault. Neither do I think that all women would be benefited by the privilege of the ballot. I do not think that all men vote honestly or that all men should have a vote. Yet they *do* have it, to the exclusion of women; a great majority of whom are thoroughly worthy and capable. I do think that women to-day have as much spare time as men have to devote to affairs of state; that they are as much interested, quite as patriotic and have as much genius for citizenship. It is possible that in time men might have to look to their laurels, but that would rest with themselves. All woman wants is the force of the ballot to put the proper men in places of power. The tremendous impetus which the power of combined thought and purpose has given to the movement in America means victory. The very energy and volubility of detractors show it. Everything indicates that its opponents are weakening and that the fight against equal suffrage is obsolescent.

"The Moving Finger writes; and, having writ,
Moves on; nor all your piety, nor wit
Shall lure it back to cancel half a line,
Nor all your tears, wash out a word of it."

ROSAMOND LEE SUTHERLAND.

THE CRISIS IN ENGLAND.

BY SYDNEY BROOKS.

After a debate of extraordinary vigor, brilliance and interest, the House of Lords on November 30th rejected the Budget. It is true the amendment they adopted did not in set terms throw out the Bill. The exact words of Lord Lansdowne's motion were: "That this House is not justified in giving its consent to this Bill until it has been submitted to the judgment of the country." The words were skilfully chosen. They gave an engaging democratic air to what was essentially an act of revolution. They enabled the peers to pose as the solicitous seekers of a sign from the people, as anxious only to refer the whole controversy to the supreme tribunal of the electorate. "In postponing a decision on the Budget," they said, "we are not opposing the popular will; we are endeavoring to ascertain what it is. Our assent has been asked to a vast and complex variety of financial proposals which all parties, whether they approve them or disapprove, agree in regarding as at once novel and momentous. We reply that we will give our assent when, and not before, the people have pronounced in favor of Mr. Lloyd George's measure. At present they have not been consulted as to a single one of its provisions; we have no means of knowing whether it is their wish that this Bill should become law or not; and we decline to assume the responsibility of legalizing so far-reaching and unprecedented an experiment until the judgment of the country has been definitely formulated. In taking that stand we are exercising our undisputed right to interpose a period for reflection before a legislative proposal becomes a legislative fact. If the mature opinion of the nation endorses the Budget we shall bow to its decision. But we do not consider ourselves justified, in a matter of such vital consequence, in taking it for granted with-

out further inquiry that the country sanctions so extreme a departure from the established methods of raising revenue." Few peers, it is true, had the hardihood to develop a line of argument so transparently specious as all this. But their supporters in the press and their apologists on the platform are working it for all it is worth. That is to say, they are endeavoring to persuade the country that it is not so much their hatred of the Budget as the sensitiveness of their democratic consciences that induced the Lords to force an appeal to the nation.

One may safely dismiss such pleas as part of the general cant of electioneering. The Lords adopted the Lansdowne amendment because they hoped that in the confusion of a General Election, fought out on various issues and powerfully affected by multitudinous currents of feeling and opinion, the Liberals would either be defeated or their majority so signally reduced that the Budget would never again be heard of. Their objections to the Budget are perhaps already known to my readers, but, to bring the main aspects of this gigantic issue into focus, they must be briefly restated. The Lords, then, took first of all the ground that their legal right to reject a Finance Bill had never been either annulled or abandoned and that it remained a weapon in reserve to be used in the event of an exceptional emergency. The fact that it had never hitherto been employed—or never since the custom of embodying all the financial proposals for the year in a single Bill had become a settled practice—was merely a proof of the moderation with which successive Chancellors of the Exchequer had framed their Budgets. The Lords had objected to many previous Budgets, but they had passed them all; time and again they had subordinated their personal convictions and interests to their sense of what was demanded by the usages of the Constitution; and if they now felt unable to accept the Finance Bill of 1909 it was a *prima facie* reason for thinking that not they, but the provisions of the Bill itself were to blame. In referring it to the people they were taking admittedly an unprecedented step. But it was to meet an unprecedented situation. Mr. Lloyd George's Budget violated all the canons that Chancellors of the Exchequer had hitherto observed. It was, for one thing, more than a scheme for meeting the financial needs of the current year. Its friends hailed it as the forerunner of a vast social and economic revolution. Many

of the taxes it sought to impose, and particularly the taxes on land, would by the Government's own admission cost more to collect than they would yield in revenue for many years to come. Many of the clauses it contained, such as those that set up the machinery for a valuation of all the land in the kingdom, dealt with projects that had no proper place in a professedly financial measure. Many of the arguments by which the whole scheme was defended, and indeed the cumulative effect of its provisions, not only paved the way for the nationalization of the land, but pointed clearly to Collectivism as the goal to which England was drifting. For the first time in British history the Budget singled out a special form of property for invidious attack. It was an attempt to popularize a policy of spoliation by setting the poor against the rich. It not only assailed capital, drove investors abroad, diminished employment at home and made every property-owner tremble in his shoes, but it also deliberately infringed the prerogatives of the House of Lords. The Lords had rejected in 1907 and 1908 a Valuation Bill and a Licensing Bill. They now found the worst features of both measures incorporated in the Budget. The Budget, in short, was being made "the vehicle for legislation which had already been rejected by the House of Lords with the tacit assent of the country." Counting upon the unwillingness of the peers to provoke the Constitutional crisis and the financial deadlock which the refusal to vote the supplies for the year would entail, the Government, for purposes not of revenue, but of political revenge, had inserted in the Budget measures which they knew they could not otherwise pass into law. If such a practice were to go unchallenged there would be nothing, however revolutionary, that the majority in the House of Commons could not attempt and successfully achieve under the guise of a Finance Bill. The purpose, or, at any rate, the effect, of Mr. Lloyd George's Budget was, in short, to extinguish the House of Lords.

Such were the arguments put forward by the authors of the *coup d'état*. Not all the peers, even in Lord Lansdowne's own party, could be induced to subscribe to them. Men like Lords Rosebery, Cromer, Balfour of Burleigh, Lytton, and James of Hereford, while anathematizing the Budget, refused to be parties to the Constitutional upheaval implied by its rejection; a score or so of others who were present in the House abstained from

voting; and the 350 members who followed Lord Lansdowne into the lobbies fell by considerably over 100 below the full Unionist strength. A great many peers doubtless believed that the country wished them to throw out the Budget and would support them in doing so; a great many more felt, and sincerely felt, that hating the Budget as they did and convinced as they were that it was a menace to the national welfare, they could not, their consciences would not allow them to, pass it into law; but, taking the Unionist peers as a whole, I think it moderately safe to say that what chiefly determined their action was, first, the taxes on land, secondly, the licensing duties, and, thirdly, the pressure of the Tariff Reformers who saw their panacea indefinitely postponed if the Budget were permitted to pass. The Liberals had not much difficulty in riddling the thin and ridiculous pretence that Lord Lansdowne, as one of his admirers called him, was "the John Hampden of the twentieth century," standing between the people and the tyranny of the House of Commons, and that his amendment was born of a desire not to kill the Budget, but to consult the country. Nor were they less successful in meeting many of the objections to the Budget as a mere measure of finance. Was a Chancellor of the Exchequer, they asked, in a time of enormous and growing expenditure, to be debarred from opening up fresh sources of revenue merely because their productivity took a little while to develop? Was it Socialism or Collectivism or any other "ism" for the State to claim a share of the wealth created by the State? Was it an instance of tacking legislative proposals on to a bill of finance to provide for the valuation of land when land values were to be taxed? Just because the Lords had rejected a Licensing Bill, were the holders of licenses to be exempt for all time from increased taxation? The money had to be raised somehow. Which was the better way of raising it, by taxing land and liquor and tobacco and by adding to the death duties, or by taxing food, by taxing the men of wealth and the luxuries of all classes, or by taxing the poor and the necessaries of life? But I need not labor these and similar points. They have already become almost obsolete. They have been swallowed up in the tremendous Constitutional issue; and here the Liberals, no longer on the defensive, are able to carry the war into the heart of the enemy's camp.

The legal right of the House of Lords to reject any and every measure submitted to them has never been questioned. In the same way the legal right of the Crown to refuse its assent to any and every Bill passed by both Houses of Parliament is indisputable. But every one knows that for the Crown to exercise its legal rights in this respect would be considered to-day a gross outrage on the Constitution. The British system would, in fact, be utterly unworkable if every authority in the State were to make use of the privileges and authority belonging to it by the strict letter of the law. The British system is not founded on the nicely calculated less or more of legal precisions. It is founded on precedents, usages, conventions, traditions, mutual understandings, forbearances and accommodations, tacit compromises, silent surrenders. Many things, therefore, that are clearly legal are not less clearly unconstitutional; and the refusal of the House of Lords to vote the supplies of the year is unquestionably one of them. No point has been more often threshed out in the past four hundred years than this, and no point hitherto has come to be more generally accepted as the very basis of British Constitutional liberties than that in all matters of finance the House of Commons is and must be supreme. Its supremacy is attested not merely by the fixed practice of centuries and by the whole spirit and tendency of British Constitutional development, but by the forms and facts of modern procedure. When the King asks for the supplies of the year it is to the "Gentlemen of the House of Commons," and not to the Lords that he addresses himself. The very wording of the preamble in Finance Bills bears witness to the exclusive control of the Commons in all matters of taxation. And quite apart from the uninterrupted acquiescence of leaders of both parties in this doctrine, there is this insuperable fact that resolutions of the House of Commons imposing taxes have always hitherto been held to possess the force of law. A Chancellor introduces a Finance Bill announcing, let us say, increased duties on sugar, tea and tobacco. "Resolutions" are at once, on the same day, passed by the House of Commons authorizing the collection of the new duties. These "resolutions" are telegraphed to the customs-house officers and on the following morning sugar, tea and tobacco pay duties on the new schedule. Understand that the House of Lords has nothing whatever to do with this operation; understand that the

Finance Bill to which the "resolutions" give immediate effect may not become law until several weeks or several months later; understand, further, that the validity of the "resolutions" has never yet been challenged, but has, on the contrary, been universally accepted—ponder the significance of all this and you will see that there could not well be a more striking proof of the financial absolutism of the House of Commons.

But the argument from practice, convenience, tradition and prescription, while overwhelmingly strong, is still not so strong as the argument from necessity. The unfettered control of finance by the House of Commons is vital to the working of the British Constitution, and the destruction of that control means the destruction of the Constitution, means absolute chaos, means the reconstruction of the whole system of government from the foundations upward. This will become clear if we examine the consequences that must inevitably follow if the claim of the House of Lords to reject Budgets is upheld by the people at the polls. Such a claim implies, in the first place, that the Lords possess the power of forcing a penal dissolution by refusing supplies. No Ministry can maintain itself without the money to carry on the King's Government. If the money is withheld, it must necessarily dissolve Parliament and appeal to the country. By rejecting the financial provisions of the year the Lords thus compel a dissolution, and a dissolution hitherto has been the sole prerogative of the Crown, a prerogative exercised, of course, on the advice of the Ministers of the day. Secondly, and as a necessary consequence, the power of the Lords to force a dissolution destroys the principle that a Government holds office subject to the support of a majority in the elective House. It, therefore, makes the Septennial Act null and void for any Government which does not also command a majority in the House of Lords. It gives to an indissoluble, non-elective and hereditary Chamber the last and supreme word over the representative Chamber. And as the House of Lords is seven-eighths Conservative, this means in practice that the party system would be uprooted, that the Liberals would hold office at the annual mercy of the Upper Chamber, and that the Conservatives would enjoy the full benefits of the Septennial Act without molestation. The Conservatives naturally and by instinct, and the Liberals by necessity, would thus be compelled to frame only such financial measures as they

could be sure would meet with the approval of the hereditary House. The House of Commons, in short, would be placed in a position of permanent subordination to the House of Lords. In the third place, the seizure by the Lords of the power of the purse would throw out of gear the whole financial machinery of the State. The resolutions of the House of Commons on which hitherto taxes have been collected would at once lose their validity. The voting and discussion of the Estimates would be deprived of their reality and significance because nobody would know whether the money would be found or whether the Government would be in office after a few weeks. It would follow from this that the Government's financial proposals would have to be introduced in both Houses simultaneously. And as the Government—if it were a Liberal Government—could be practically sure that its proposals would be accepted by the House of Commons, but would have no guarantee as to what reception they would meet with in the House of Lords, the next step would be to bring in the Budget in the House of Lords alone and before it was presented to the Lower Chamber—in other words, to make the House of Lords the supreme taxing power in the State. It is safe to say that no nation in its senses would tolerate a system under which a hereditary Chamber that could never be called to account would be able to dominate the elected House, to paralyze the Executive without any responsibility for replacing it, to order a dissolution whenever it pleased, to destroy the simplicity and continuity of the methods of collecting revenue, to insist that any Budget that displeased it should be made the subject of a plebiscite, and to arrogate to itself the decisive voice in the settlement of the national finances. The fight that is being waged in Great Britain is a fight for some of the elementary essentials of self-government.

How is it that the Lords have allowed themselves to precipitate a contest fraught, as in the end it must be, with such painful consequences to the privileges of their House? Apart from their objections to Mr. Lloyd George's Budget there are, I think, three main reasons to account for their action. The first is that the Unionist party as a whole has become so infected with the virus of Tariff Reform, is so bent on carrying out its new policy at any cost, that it has parted with almost everything that made the strength of the old Conservatism and is now, like the Republicans

in the United States, a party that, aside from the Tariff, has no principles or scruples, is hopelessly steeped in opportunism, and will do and say anything, espouse any cause and, if need be, smash the Constitution, on the off chance of moving an inch nearer to its goal. It has lost the sense of proportion and prevision, of seeing and estimating clearly; and it has plunged into this struggle with the democracy as light-heartedly and recklessly and with as little foreknowledge of the issues it has provoked, of the obstacles to be encountered or of the consequences that must ensue as ten years ago it plunged into the war with the Boers. The second reason that accounts for the madness of the Lords is that they lack leadership. Lord Lansdowne is amiable and accomplished, but he has hardly a shred of the influence and authority over his brother peers that belonged, for example, to the late Lord Salisbury. Moreover, he is a Whig by early upbringing; he was a member of more than one Gladstone Cabinet; and the Tories in the Upper House, while accepting his leadership, have never quite accepted him as one of themselves. Had Lord Lansdowne been a second Salisbury the House of Lords would never have rejected the Budget. It is not less safe to assert—and this brings me to the third reason—that had Queen Victoria been on the throne the Budget would have become law. She would have intensely disliked its provisions and its tendencies, she would have sympathized with every one of the Unionists' objections to it, but she would never have permitted them to incur the enormous risks involved in rejecting it. King Edward did what he could to bring the peers to reason, but while eminently successful in diplomacy abroad he proved unable to ride the whirlwind at home. That was partly because ever since he came to the throne his social preferences have somewhat alienated the aristocracy and partly because his Liberal sympathies have equally alienated the Unionists. It is almost a law of nature that the Heir Apparent should be of opposite political opinions to the reigning Sovereign. Queen Victoria was a Tory of the Tories; King Edward both as King and as Prince of Wales has always been a man of modern views and inclined to Liberalism, and his son, the present Prince of Wales, reverts accordingly to his grandmother's creed. His Majesty's reputation for Liberalism and the coolness that exists between his "set" and the rest of the nobility placed him at a considerable

disadvantage in dealing with the crisis. The influence of the Crown availed nothing against the stubbornness of a handful of *intransigeants,* spurred on by their zeal for Tariff Reform and by the powerful support they received from the Unionist Press. In an emergency that concerned the Crown only less gravely than it concerned the House of Commons it has to be recorded that King Edward VII failed to make himself felt as moderator and counsellor with the weight and effectiveness that Queen Victoria would undoubtedly have commanded.

What will be the upshot of it all? The Prime Minister on December 2nd introduced into the House of Commons a resolution reaffirming in the strongest and clearest terms the financial supremacy of the Lower Chamber. That resolution strikes the key-note of the campaign. The Liberals can hardly expect to return from the polls with an undiminished majority. If they come back even with a majority independent of the Irish Nationalist vote, it will be a very considerable achievement. I know England too well to prophesy with any definiteness the result of a General Election, but I shall be very greatly surprised if, in spite of the many formidable interests they have antagonized, the Liberals do not return to power with a clear mandate to bridle the financial pretensions of the House of Lords. One Liberal Minister after another has declared that his party will not again take office without a clear guarantee that what occurred on November 30th shall never be permitted to occur again. There is only one guarantee that will meet the situation: and that is a promise by the King that he will be prepared to create a sufficient number of peers to carry through the House of Lords a Bill definitely depriving the Upper Chamber of the right to reject the financial proposals of the Commons. Sooner than be swamped by 500 new men the House of Lords would agree to anything. But the expedient is a desperate one, so desperate as to be in itself sufficient proof that Great Britain is passing through a peaceable but profound revolution and is entering on the prodigious and fateful task of rebuilding almost from top to bottom her Constitutional framework.

SYDNEY BROOKS.

PRESENT STATUS OF THE ARGUMENT FOR LIFE AFTER DEATH.

BY BORDEN PARKER BOWNE.

It is often said that faith in a future life is increasingly difficult. This is probably the case with certain elderly persons who were entangled in the materialistic thinking of the last generation and have never been able to free themselves. They contracted the habit of negation, and at last came to regard their denial as a manifest truth. In fact, however, the belief in life after death is better founded to-day than it ever was in the past, so far as science and reasoning go.

The argument against the belief is level to the lowest intellect and seems conclusive to the uncritical. It is simply this. We know of mental life only in connection with bodily existence. When the body dies there is no longer any mental manifestation. And from this the conclusion is drawn that the mental life is only a product of physical organization and perishes with it. This is really the sum of the argument upon the subject. As music depends on the instrument and ceases with it, so what we call mind is only the tune of the organism and vanishes with its dissolution.

The facts, however, are by no means so simple and decisive as this argument assumes. It is strictly impossible to pass by any reasoning or insight from the body as a material aggregate to thought and feeling as spiritual states, and the only thing that makes it seem possible is the tacit assumption that the body is an undoubted cause and indeed the only cause concerned. But this naïve materialistic metaphysics is obsolete in critical circles. We really do not see that the body causes the mental life or that it is necessary to it. All that we really know is that the organism and the mental life are mutually dependent in the order of ex-

perience. We find them varying together, but we cannot find any inner connection which would compel us to think that the actual physical order must be attended by the actual mental order or by any mental order at all. So far as knowledge goes, all that we can certainly say is that the organism is the medium between the physical world and the inner life, preparing the forces of the former for the service of the latter and furnishing the latter with a means of expression and communication. The subject of this inner life we call the "soul," and by "soul" we mean nothing mysterious or far-fetched, but just ourselves as we live our daily life of thinking, feeling, working, etc.

Manifestly, this statement of the relation between soul and body carries with it all the facts upon which the materialistic argument is based. If the organism is now such a means of mediation between the physical world and the soul, it is plain that the health and perfection of the organism must have a profound significance for the soul's life. If we suppose that the body furnishes the soul with the stimulus for growth and development, it is clear that physical conditions must have great mental significance; and if we further suppose that the body is the instrument for the expression and manifestation of the mental life, it is equally clear that the condition of the organism must have great significance for that life. The operator cannot work without his instruments or send messages when the wires are down. So far, then, as the facts of mental dependence upon physical conditions go, it is manifest that at best they lead only to a drawn battle, and if nothing but these facts existed we should be left free to choose either the materialistic or the spiritualistic view.

But there is, however, a great set of facts that come in to overturn this equilibrium. The soul is by no means always in the passive voice, even in its physical relations. Not only does the body affect the mental life, but conversely the mental life reacts upon the body and becomes an important factor in its direction and general well-being. This truth has become prominent of late through the facts of mind cure and the growing insight into the organic significance of the mental factor. These facts were long denied, owing to materialistic prepossessions, but they have compelled recognition. Some wild work has, indeed, been done in this field, but enough has been established to show that mental

conditions have great importance for our physical well-being. And one great gain from it is that we are becoming used once more to the thought of spiritual existence as a veritable factor in the ongoing of the world. In addition to such facts, reflection upon the thought-life itself shows that it is altogether impossible without some abiding and active spiritual principle whereby the thought-life is built up and continually maintained across the changes in its organic conditions.

The spiritualistic argument is conclusive for those who can follow it, but popular thought is obsessed by difficulties arising purely from the imagination. This faculty always thinks in terms of form, and when dealing with human personality it thinks in terms of human form; hence whenever the soul is referred to as something formless and invisible the imagination has difficulty in realizing what all this may mean. It seeks to picture the soul and the soul cannot be pictured. We cannot apprehend ourselves in spatial images, we experience ourselves in conscious life and activity. This failure of the imagination easily passes with the uncritical for a disproof of spiritual existence. Along with this goes the naïve assumption that matter is a perfectly clear notion, and that material existence is something the nature and reality of which are beyond all question. For the strengthening of popular faith in spiritual realities something may be done toward relieving these difficulties by showing the uncertainty of our notions of matter and the activity of the soul in physical as well as mental life.

Popular thought begins by assuming that matter is the most certain of all things. Spirit may be doubted, but material things are undeniably there. This is the conviction with which we all begin and it very easily leads us toward mechanical and materialistic thinking. The view, however, is inverted. The only sure facts in life are ourselves and the world of common experience, the human world in short. This is where we really begin and where life itself goes on; and all thinking whatever that we may do must be related to these facts, and whatever we believe must in some way be deduced from these facts. Matter, then, as a metaphysical existence is no first fact, but only an abstraction from experience. Life and experience are the first facts. Now with this starting-point we find ourselves living, thinking, feeling, acting and producing a great many effects in

the world of experience. We are in this world depending upon it in some ways and able to act upon it and modify it in some ways. The physical world, then, is far from independent of our thought and action. We, the living persons, modify the world of things, use it for our purposes, build cities, traverse seas, subdue nature to our service, develop governments, social institutions, etc.; and in all of this we find ourselves given as active and controlling causes. The fancy that some materialists have held that this is only an illusion may be dismissed at once.

Men, then, as living souls are no fictitious and far-fetched hypotheses, but are really the very first and most certain facts in speculation, and the abstract matter of scientific theory, so far from being a datum of experience, is only a piece of doubtful metaphysics for the explanation of experience. Moreover, at present the tendency is to extend the activity of the soul much farther than has hitherto been done. Instead of making the soul a mere collective name for mental states which passively attend organic change, or even limiting the soul's action to conscious mentality, the tendency now is to regard the soul as the builder even of the body itself. Organic form is not the cause but the product of life. Life lies behind structure as its source and builder. This is the view which is coming to the front in biological speculation.

According to this view, the soul has a phase of organic activity which precedes and underlies its conscious activity, but both are united as the expression of the nature of the one soul. We may distinguish the following stages:

First, The soul in interaction with the general physical system builds and maintains an organism within certain limits and under certain conditions set by its own nature and the general laws of the system.

Second, This organic matter is already within the sphere of the soul's activity as well as under the general physical laws.

Third, Hence the organism is partly a physical and partly a psychical function. Its interaction with the extra-organic involves the organic activity of the soul, and, because of the unity of the soul, this interaction could hardly fail to have significance for the mental activity.

Fourth, Conscious activity based upon and growing out of the organic activity is the final stage.

Thus the continuity of the organic and the mental world is

in a measure assured and some reason is given for their intimate correlation. This view provides for all the psychologists are now saying about the subliminal and subconscious soul, as it recognizes an organic activity which does not rise into conscious activity, but which nevertheless may have profound significance for the conscious life. It also provides some connection between the conscious and the organic in turn. As the organic form of activity has significance for the conscious form of activity, so the conscious activity has significance for the organic. Thus we see how physical states might conceivably condition organic states and through them mental states, and conversely how mental states might condition organic states and through them physical states.

This is the view that is becoming quite prominent in biological and psychological speculation, and on any realistic scheme of metaphysics it is the line of least resistance. It recognizes the reality and activity of the soul and assigns to it not merely a mental but a profound vital significance. It gives the soul something to do. The soul does not merely sit by and think, but it enters intimately into the activities of the system and counts for something as a dynamic factor. It does not, indeed, create the cosmic forces, but within limits it directs them and determines their products. Thus the soul appears among the working factors of the system and not as a superfluous and impotent spook in the cosmic ongoing. This is the view taken by men like Sir Oliver Lodge in his papers on Science and Immortality, and it is closely related to the views of Bergson and others who have discovered the limitations of the old mechanical notions respecting life and mind.

The soul, then, is a reality among realities so far as the argument thus far goes, and as such would come under the general law of thought respecting these realities. In the physical world, on the orthodox view, there is no destruction of reality, but only change of combination. So-called destruction is dissolution or decomposition and applies only to compounds. The destruction of a piece of wood means merely a recomposition of the molecules and leaves the essential factors untouched. If now we regard the soul as also one of the real factors of the world of power, or as a real agent, we should on this line of reasoning regard it as equally indestructible; for destruction, as said, means in the physical world only decomposition, and the soul as a simple agent

would admit of no decomposition and hence would be indestructible like the other realities of the cosmic order. These considerations led long ago to an argument for the immortality of the soul based on its being a simple substance, an argument which Kant subjected to criticism, with the result of showing that it cannot be called a demonstration. At the same time, it must be said that it is by no means altogether a failure, for when once the reality of the soul as an agent is established there is at least a presumption that it continues to be unless we can give positive proof of its destruction. This presumption becomes very strong for all those scientists who have learned to think of the agents and energies of the physical system as indestructible. The mere fact that the soul does not manifest itself to us outsiders through our senses is very far from a proof of its nonexistence, for nowadays science has made us entirely familiar with the fact that a great many things exist which are not revealed to the senses at all. Thus the world of ether, which is by no means a sense object, has become so important a fact in physical science that it is continually threatening to supplant matter altogether by reducing it to a function of ethereal motion. Wireless telegraphy is a good illustration of changes and activities beyond the range of sense.

By moving along this line critical thought is making matter itself more and more a fluid fact and mind more and more substantial. A very general tendency in physics is to make matter phenomenal or at least to make it a function of something beyond itself. According to Professor Trowbridge, about all we are sure of in connection with matter is that it is "a back-and-forth motion in the ether." Lord Kelvin thought it might be a vortex ring in the ether, and in any case matter is losing its hard and fast character and becoming a function of energy. According to Mr. Spencer, the one sure thing is that we are in the presence of one infinite and eternal energy on which all things depend and from which they forever proceed. Now this is a long way from the crude materialism of earlier times, and all that would be left of materialism, if put into these terms, would be the claim that our mental life is now connected with certain orders of cosmic change acting upon them and reacted upon by them, but in such a way as to make it altogether impossible to look upon the cosmic change as the efficient cause of the mental life. Thus

the way would be left open to think that this mental life which has these mysterious connections at present and which is continually rooted in the infinite and eternal energy (God?) might continue under other conditions according to the purpose of that same infinite and eternal energy by which it now exists.

And this conclusion would be further helped by the insight to which criticism brings us into the phenomenal character of the entire spatial system. For common-sense things in space are the only realities. These we see, touch and handle, and as there is nothing else in sight there is nothing else in existence. What we have already said goes far to shake this naïve view, and speculation has carried the matter still further by showing that space itself is simply the general form of our experience and no real existence which holds and conditions things. And even now the great bulk of life belongs in the invisible world of consciousness and conscious personal relations without any existence whatever in space. The human personality never appears. The human race never appears in space. Space is simply the screen on which the invisible life of humanity projects itself, producing a great variety of effects and expressing itself in various ways, but never coming into vision except through these manifestations. We have only to extend this to understand how the entire universe may be an invisible world of spiritual energy manifesting itself in spatial forms, yet never to be identified with them. In that case the personal world would be the real world and the space world would be the form world in and through which the real world of spirits manifests itself; and this is the view to which thought is rapidly coming.

Considerations of this kind tend to relieve the difficulties of popular thought respecting immortality. That thought tacitly assumes that all real existence has spatial form and that whatever does not exist for the senses is unreal. There is relief in pointing out the phenomenal character of spatial existence in general, and in showing how much there is of which the senses take no account and make no report. What can the senses tell us, for instance, of the metaphysical basis of wireless telegraphy or the power world in general. As to the possibilities of spiritual life, we have no more warrant for limiting them to present physiological conditions than an unborn philosopher would have for declaring the antenatal life to be the only one possible. It would

be interesting to work out the conclusions of such a philosopher respecting the possibilities of conscious life. We should recognize in them a striking parallel to the views of some of our materialistic dogmatists.

This argument is indeed negative, but it is not without positive value, as it tends to remove the baseless fancies on which objections commonly rest. Of course it must be admitted that there is no proper demonstration of life after death, and indeed there can be none except through some word of revelation or through experience itself. But this does not leave us as badly off as it might seem. We no longer expect demonstration in concrete matters of any kind. Even science itself rests upon a very complex body of assumptions admitting of no demonstration beyond the fact that they satisfy our rational nature and give us some light on experience. Similarly with the faith in immortality—it is not a thing which can be properly demonstrated, but it is something that fits into our general scheme of faith and satisfies the instinctive demands of the soul. We have come to a point at last where we are trusting our instincts again, our higher spiritual instincts as well as the lower ones, and in this trust we are finding ourselves led more and more to faith in immortality. We have the sure conviction that moral and spiritual interests are the higher things in life, and we have also the clear conviction that these interests find no adequate completion and fulfilment in the life that now is. There is much, of course, that is animal in our life, but there is also much that soars above and beyond all animal possibility. We are somewhat in the position of a being who should become conscious of his surroundings in the antenatal state. He would find many things the significance of which would be dark to him because they are preparations for a stage of existence of which as yet he has no knowledge. But after birth he would find their meaning, as he would be introduced into a life where their significance would be manifest. In the same way our reason, our conscience, our spiritual aspirations, carry us beyond the actual and beyond all that is possible under terrestrial conditions. These are the things within us that bear witness to immortality. All thinking about the world presupposes it to be rational, and if life is to end with the earthly act, then the play is a farce, a hideous opera bouffe, and there is no reason in it. Considerations of this kind, while they disclaim knowledge,

open the way for belief and make us hospitable to the notion of immortality if it should be revealed.

And here it is that Christianity has done a great service. It has made the idea of immortality and belief in it a common possession; and by its continual testimony to the life immortal has made it credible to the great mass of men who could reach it in no other way. And it is something to see that science and reflection, so far as they go, support this faith. They do not, indeed, compel it, but they make it rationally possible and show the emptiness of the pretended disproofs of the doctrine. And then the individual has to decide for himself whether to take the higher view that leads to life and hope or the lower view that leads to despair and death. And probably this is all that is desirable for us under our present circumstances. The supposed proofs of spiritual existence that come from spirit rappings and such things are not of much use to us. They cannot be declared to be impossible, though I myself have never seen anything that makes them credible. But their contents are of such a character as to depress rather than encourage us. It is further clear that for the sake of our mental, moral and religious sanity it would not do for us to have much commerce with the invisible world. Neither intellect nor morals nor religion could go on in any wholesome manner if we had much more knowledge than we now possess. As Kant says, in speaking of this point, the unsearchable wisdom of God is no less manifest in what he has hidden from us than in what he has revealed.

BORDEN PARKER BOWNE.

SAFEGUARDING THE ART TREASURES OF ITALY.

BY FRANK JEWETT MATHER, JR.

For more than three centuries there has been a steady drift of fine works of art from Italy. First the Papal State and afterward the Kingdom have tried with rather slight results to guard the outlets. Various laws regulating exportation have been enacted. All have been evaded, and all have seemed at certain points to limit unfairly the right of private ownership. For three years past the whole matter has been studied by a special commission, and at last Italy has a law which maintains the right of the Kingdom to conserve its art treasures while providing a fair indemnity for owners whose possessions are marked for the public galleries.

The most important requirement of the law of June 20th, 1909, is that all municipalities, religious, charitable and educational bodies are bound to report all objects of art in their possession to the national authorities. This reaffirms the sound principle of earlier laws, and, in fact, such legislation would not be amiss in any country, being a simple assertion of the general responsibilities of trusteeship in the particular direction of art. A new and valuable provision of the new law is that such works of art must be kept in proper repair on penalty of confiscation by the Government. No one who has observed the often scandalously neglected condition of the pictures in churches and even in certain obscure museums can doubt that a strict enforcement of this clause would save many pictures from destruction and incidentally enrich the national galleries. The duty of enforcing the trust implied in the corporate possession of works of art is so obvious that I need not insist upon it. Morals and æsthetics combine on this issue. A semi-public corporation has no right to traffic in

its trusteeship, while pictures and sculpture have a double significance and beauty when seen in the place for which the artist destined them. But apart from general considerations, the situation in Italy has been somewhat acute. The thousands of fine pictures which hang in the public and private galleries beyond the Alps were mostly sold by churches and convents in defiance of morality and often of law as well. Nor has the forbidden traffic ceased.

A famous altar-piece sent from a provincial church to the Umbrian Exhibition two years ago turned out to be a substituted copy. The original is, one may be sure, no longer in Italy. Last summer I saw in the villa of a wealthy Englishman a fine picture of the fourteenth century which had just come from a neglected chapel. Only a few years ago a beautiful fifteenth-century Annunciation vanished from the most sacred and perhaps the most visited spot in Italy, the Portiuncula of St. Francis at Assisi, and reappeared after an interval in a noted American collection. Such instances show the necessity of the law. Its enforcement is more difficult than might be imagined, because of the inadequacy of the inspectoral staff, the multitude of churches and chapels, the enterprise of the antiquaries, and the trafficking disposition of many Italian priests. I know of a single Italian commune, with a population not exceeding thirty thousand, where there are one hundred and twenty ecclesiastical buildings in actual use. The Government may have a complete list of their artistic contents, but I much doubt it. In the effort to keep her public treasures of art unimpaired and undiminished, Italy should have the fullest sympathy of all lovers of art and honesty.

Other nations will have to follow her course as soon as any notable accumulation of objects of art lies under the control of neglectful or mercenary guardians. I think that merely as a precautionary measure our States should affirm the inalienability of all objects of art in the possession of public or beneficiary corporations. It is not realized perhaps how considerable the artistic heritage of our hospitals, colleges, learned societies, etc., already is. And merely as a warning we had only a few years ago an American art museum brought to court for selling a picture which had gone out of fashion. Personally I sympathize with the museum in question for desiring to get rid of that

particular painting, but the policy of thus realizing on artistic assets is a thoroughly vicious one, as the record of despoiled Italy clearly shows.

In its dealings with private owners Italy in the past has stood in a more questionable attitude. Theoretically the Government drew up a complete list of objects of highest value *(di sommo pregio)* the exportation of which was forbidden and the ultimate purchase of which for the national galleries was contemplated. Practically the mere announcement of this list closed the private galleries and everywhere drove notable works of art into hiding. With no right of search the Ministerial inspectors naturally made slow progress with the list. Such remarkable paintings as the Cattaneo Van Dycks, which only recently were spirited from Genoa to England and America, were never formally listed, although their existence was perfectly well known to the Government officers. In order to prevent such surreptitious exportation the law required that every work of art should be presented at a Government office, where under appraisal it should pay an export duty. While it remained in the hands of the inspectors, the Government took the opportunity, whenever it seemed desirable, of buying such works either through direct dealings with the owners or under condemnation proceedings. As a matter of fact, the finest works of art that left Italy never were presented to the export offices. From the mass of relatively inconsequential objects that have been duly presented the Government has made a number of purchases at favorable prices and incidentally has raised considerable revenue, but as a means of keeping the best art at home the law has been a complete failure.

Before writing this down to the utter discredit of the collector and art dealer—classes which already have sins enough to answer for—it is only fair to acknowledge that the law itself was inequitable and in its workings oppressive. While the right of a Government to expropriate artistic property offered for sale can hardly be contested, the Italian Government sought to buy at prices arbitrarily lowered through the elimination of the best market. To tell an Italian collector that the Government would cheerfully pay what an Italian buyer might offer was virtual confiscation of three-quarters the value of the work. As matter of fact, this was only the beginning of the tribulations of an owner caught in the toils of the export office. Often the

Government had no money to make an important purchase. In such case the picture under postponements of two years' duration was sequestered while the Government beat the unlucky owner down. Only when he was worn out by waiting, the bargain was struck. No wonder private owners went rather around than through the export offices.

As for the dealers, they arrived at one of those extra-legal arrangements which, common enough the world over, are commonest perhaps in Italy. By occasionally giving a work of art outright, and habitually selling cheap what the Government desired, they got favorable terms for their routine exportations. Their extraordinary shipments were prudently made through obscure individuals, who for a consideration gladly assumed the risk of fines which they could not pay and brief imprisonments which were no hardship. Thus, though there have been scores of prosecutions and many convictions, no exemplary penalty—saving the enormous fine imposed upon Prince Chigi, which was promptly reduced—has ever been imposed. The law has failed absolutely with respect to the objects it was intended to safeguard —those of highest value. To have put the Government's buying on an equitable basis is the chief merit of the new law. But before discussing its provisions that underground railroad by which the masterpieces escape deserves a moment's attention.

How do the pictures and statues get out? Naturally, this story can never be fully told until the last salable *chef d'œuvre* has disappeared and the statute of limitations has run out. Meanwhile such hints as one gathers may be set down to the credit of human ingenuity when unabashed by ulterior scruples. The crude old method of varnishing a picture, painting thereon in gouache Vesuvius in Eruption, Virgil's Tomb or other scenic improvisation which the wet sponge would remove on arrival, is now obsolete. In fact, with small objects no such elaborate evasion is necessary. If you buy a picture of moderate size from an Italian dealer and inquire as to means of exportation he will say: "Why bore the inspectors with this trifle? Put it in your trunk, sir." In fact, the trunk is the most insidious foe of the æsthetic State. Some inspection of mercantile packages the customs makes, but the general examination of travellers' baggage is a physical impossibility. If a scrupulous collector, and they are rarer than might be imagined, declines to make his own trunk a vehicle of

contraband, other trunks are readily available. There are ladies, for example, whose profession exacts both ample wardrobes and occasional changes of residence between Rome, Florence, Milan, Naples, Venice and the northern capitals. For the courtesy of a first-class ticket these *voyageuses* will cheerfully deliver any sealed package at their city of destination. For that matter, the Government mails constantly carry out of Italy such small objects as coins, manuscripts, early-printed books—anything, in short, that can be unobtrusively packed.

As for the larger objects, when they are not too rare they are usually presented for inspection. How the rest slip out—and they include great altar-pieces and sculpture weighing a ton or more—one can only guess. I may remark, however, that piano-boxes do not necessarily contain pianos, that loads of hay and truck cross the Alpine passes, and while a skewer is usually plied to make sure that nothing is below the appearance, under certain conditions the probe might be withheld. All such illegal expedients, however morally to be condemned, were a perfectly logical sequel of a law confiscating private property below its market value.

All smuggling ought to stop under the new law. But the practice is well established, and its chief devotees not of a stamp to be staggered at the loss of a quasi-moral excuse. At least the ingenuous Italian collector may now gratify his desire to conserve the artistic patrimony without paying too dearly for his patriotism. The Government gives up the pretence of listing all the masterpieces in private hands. When it learns of one it formally notifies the owner that it must not leave the country. As before, it requires all works of art to be inspected and appraised before exportation, and to pay a duty which increases with the valuation from five to twenty per cent. Whatever works of art it wishes to buy itself, it agrees to take within two months, or at most four, at the price at which the owner presented them for export. Should he decline to abide by his own valuation, he may have recourse to a commission of appraisal, or he may withdraw his property subject merely to prohibition of foreign sale. So the new law does away with wearing delays, pays a fair price and in no case actually confiscates private property. Evidently there could be no fairer adjustment between the unquestioned prerogative of the Government and the rights of the individual.

Aside from the treasures of the galleries, churches and public institutions, just what is the artistic patrimony of Italy? How much of it remains in private hands? It is easier to ask these questions than to answer them. Collectors are of evasive disposition, Italian amateurs particularly so. Anything like a statistical account of the hidden art of Italy is clearly impossible. Still, by the use of Bernhard Berenson's lists, which I have amplified from my own observation and reading of the more recent Italian art magazines, a fairly accurate impression may be gained. And once for all, the entire mass of private possessions in sculpture and painting in Italy is not merely inconsiderable as compared with the riches of the museums and churches, but also alongside the private collections in northern countries. In the private galleries of London, for example, there are 485 Italian paintings important enough to be listed. No trustworthy figures for the Italian private collections are available, but it would surprise me if they contained to-day more than three hundred paintings of any great consequence. At a wide guess, I should imagine that there are nearly as many fine Italian pictures here in America as remain among the collectors of Italy. To support such an estimate, let me give a few examples. Leonardo da Vinci, Michelangelo, Raphael, Giorgione, Titian, Correggio—these are admittedly the greatest figures of the Renaissance, and they are fully represented in the Italian museums. Well, of Leonardo there is no accredited example in private hands. Of Giorgione there is one—a masterpiece. Michelangelo is represented by a single marble of contested authorship. Two Raphaels, three Correggios and five Titians complete, so far as my knowledge goes, the entire list. Obviously Italy is in no danger of being bereft of her greatest masters through private sale.

With the primitives, just now the favorites of the collectors, the story is the same. Of the greatest, Giotto, who has left extensive mural decorations in three churches and a handful of panels in the museums, I know only one unimportant fragment in a dealer's collection. Simone Memmi, perhaps the rarest and most exquisite master of the fourteenth century, is found twelve times on the public list. There are at least four panels by him in private hands. For his more archaic contemporary, Pietro Lorenzetti, the figures are thirteen in public, four in private custody. If we pass to the men of the transition the case is the

same. To the credit of that very rare and charming master, Gentile da Fabriano, are registered twelve pictures owned by the public and three by private persons. The great forerunner, Masaccio, is recorded five or six times in the public list, one entry including most of the decoration of a chapel. I know of a single ruined fragment in private possession. As we fairly enter the Renaissance the figures tell the same story. For that most Roman of all the innovators, Andrea Mantegna, the count is nineteen against two; for his crabbed but powerful imitator, Cosimo Tura, thirteen against two; for the patriarch of the Venetian school, Giovanni Bellini, thirty-seven against three; for that most engaging of story-tellers, Vittore Carpaccio, thirty-six against two. There is, I think, no example of the stolid but sometimes powerful Ghirlandajo outside the galleries and public buildings. Of the much-adored Botticelli, whose public representation comes to twenty-three, there are two among collectors—and one of these pictures is disputed. Perugino, the sceptic, whose pictures give so remarkable a religious impression, is registered seventy-five times in all; just once, and that hesitatingly, among the possessions of a noble amateur. So one might go through the list of famous artists and always with the same result of learning that the masterpieces are already safe in galleries or public institutions.

Before drawing the inferences from this fact it should be admitted that our survey is a partial one. There doubtless are scores of fine pictures in Italy, the existence of which has escaped the critics. As an offset, it should be noted that many of the pictures counted above may already have been sold to foreigners, while, generally speaking, the examples in private collections are inferior to those in the museums. I have had exceptional opportunities of seeing the hidden treasures of Italy and recall only two pictures, the loss of which would palpably diminish the artistic prestige of that favored land—the portrait of Pope Innocent X by Velasquez, owned by Prince Doria at Rome, and Giorgione's Soldier and Gypsy, the pearl of Prince Giovanelli's collection at Venice. Other persons might gather different impressions. Any amateur who betrays symptoms of wealth and enthusiasm, on coming to Rome, Florence or Venice, will be sought out by plausible gentlemen who will procure him the sight of hundreds of ostensible *chefs d'œuvre* piously preserved in obscure patrician

galleries. If the visitor has enough knowledge of the Italian language and of human nature to win the confidence of these same agents—*intermediari*, as they call themselves sonorously—they will tell him the truth: that the originals of these putative old masters were sold to the English about a century ago; the substituted copies to the Russians a couple of generations later, and that the Americans are now privileged to buy the copies of the copies.

After some such preliminary explanation, it may be possible to discover a very few of desirable objects that have been missed in this cyclic process of sale and reproduction. All mathematical expressions of the art situation in Italy are mere figures of speech, but I think I am not far from the truth in saying that, while there are tens of thousands of old pictures eagerly seeking a buyer, hardly two per cent. of the old masters of artistic consequence remain in private possession. In this field, then, the great loss has already been incurred and the remedy has been applied too late. The present danger is rather from the dispersion of antique objects dug up either casually by peasants and builders or furtively by the antiquaries. In this fashion one of the most precious sites of antiquity, Cumæ, has been rifled, its treasures scattered to the winds and their historical evidence simply obliterated. Italy is full of important classical sites that have never been systematically excavated. With the present system of inspection the chances are against any monumental objects leaving the country except by due process of law. But the Government will need all the vigilance of its representatives to prevent the constant leaking away of all manner of small objects, some of which may be of archæological and artistic importance. It is not in the power of private collectors greatly to diminish the wealth of Italy in classic art. I know of only one collection of note that could conceivably come into the market, and here the purchaser would be acquiring rather more sculpture of the seventeenth and eighteenth than of earlier centuries, so fragmentary were the originals and so radical their restoration.

Obviously the regulation of excavation is the most important part of the law governing exportation of works of art. The provisions that concern private collectors and dealers have a retrospective and obsolete look, and these requirements could be abolished, retaining merely a general right of expropriation, with-

out seriously altering the situation. Why, then, do the Italians keep these tardy restrictions on the statute-book? Because they are a thrifty and sensible people undismayed by fear of ridicule when they have a practical aim, however minute or imperfectly realized, to compass. The present law of exportation does raise a certain amount of revenue and bring to the museums at favorable prices a number of desirable objects. If it does not prevent smuggling it makes it difficult and odious. The Italians, I repeat, have certain Latin qualities of looking beyond formal inconsistencies to actual effects. They coin proverbs but do not fear them. They know that, when the robbers may return for the harness and the rig, it may be excellent sense to lock the stable door even after the horse has been stolen.

FRANK JEWETT MATHER, JR.

THE STATESMANSHIP OF ITO.

BY WILLIAM ELLIOT GRIFFIS.

In Ito's native city of Hagi, province of Choshiu, in southwestern Japan, stand four bronze statues of local dignitaries prominent in political movements during the sixties of the last century. In mediæval costume, with baton, blade, pen, cap and hand-tablet of old-time fashion, these effigies typify old Japan of feudal days. Then the only idea of a clansman was for his clan (one of nearly three hundred), not for his country, which, except as aliens might menace it, was an abstraction. The sword was the standard of society and subordination.

Yet Ito, who in later life and in death received honors greater than those due to imperial princes, is not in this group. He was not born in the purple. His parentage is obscure, and in old Japan personality was weak. The retainer known as Hayashi Uichi, when he attracted notice, in Kyoto in 1867, was called Ito Shunski (Lover of Wisdom). Extricating himself wholly from the impersonal communalism of the clan, he became an independent personality, Ito Hirobumi (Ito the Widely Read).

Sixty years ago, this Hayashi was following methods that are still popular in Korea. His conversion to peaceful and patient procedure is as wonderful, possibly, as that of Saul of Tarsus. The adult life of Ito Hirobumi was under a hair-hung sword that never fell. Of the thousand bullets loaded for his heart, the one which found its billet was not Japanese, Chinese or Russian. It sped from the native of a country whose real unity will date from Ito's work of regeneration.

As for Japan, Ito found it a hermit, with uncertain boundaries and known to the world as a curiosity. He left it honored in the arena of nations. Who was he? By what right is his name enrolled with such moderns as William the Silent, Cromwell,

Alexander Hamilton, Lincoln, Cavour, Bismarck and Gladstone? In what cosmos of ideas was he born? What were his inheritances, inspirations, tasks, obstacles and goal? Amid the sprouting mythology which threatens to bury the real character, it is well to ask these questions. The writer, who knew Ito as a young man, besides such makers of New Japan as Echizen Shungaku, Sanjo, Iwakura, Okubo, and Kido, daimios, princes and statesmen of '68, and many more of "the fifty-five creators," cannot for one moment believe the contemporary notion that Ito was the chief man of initiative. In reality, Ito did at first but carry out the ideas of others. He was a splendid opportunist, yet, after so long service, he ranks in death among those greatest in the creative statesmanship of Japan.

From the first he consecrated himself to two overmastering ideals—Emperor and Country. To exalt the Imperial House, the depository of all Japan's history and noblest traditions, and to make the empire great among the nations, he scorned delights and lived laborious days. These give the key to his career. He found Japan feudal and fractional. A national unit, he knew, meant ability to match the world's statecraft.

Ito's statesmanship in foreign affairs is known to all, but his real tasks were within, and his permanent fame will rest upon what he achieved at home. Having known him nearly forty years, living in a daimio's castle in 1871, seeing both the life and the death of feudalism, witnessing in the capital his labors at their beginning, and having learned from his own lips or writings his mind, I propose to interpret his policy and life's aim.

The Japanese were a great people before the Westerners appeared, and Japan's greatest changes have been within. The culture most potent to-day with the Mikado's fifty-one million subjects is her own. Perry created none of the internal machinery that has made the new empire. The American in 1853 did but touch with timeliness the electric button that raised the curtain and sent thrills of motion into a great chamber of preparation. Without that interior propædeutic, there would have been no national awakening. The renascence of Japan began a century and a half before the Stars and Stripes were mirrored in Yedo Bay. Japanese soil, in the quarrel with Russia, was red with stains of blood a hundred years before Kuroki and Kuropatkin met in battle. China's claim of world sovereignty,

the chief obstacle to Japan's emancipation and blown to pieces in 1905, had been resisted by Japan in arms, on land and sea, A.D. 1281. More than Europe or America, have the two great rivals for the control of Eastern Asia, China and Russia, ever furnished Japan with ready-made and still-postponed problems.

All this is patent in the native literature created during the long peace from 1614 to 1868. The men destined to uprear the modern empire were born with a new mind. The mental outlook of foreseeing men in Japan, in the year of Fillmore's presidency, was as different as that of the seventeenth-century Japanese, as was Commodore Perry's from Henry Hudson's. All that was necessary by 1852, when, on November 3rd, Mutsuhito, now veteran Emperor, was born, was opportunity and this Millard Fillmore gave them, for then we Americans had both a navy and a mercantile marine.

The Japanese in 1853 formed no real nation, but were three or four different bodies of people living in what to them was the centre of the universe, the only earthly home of the gods. Nine-tenths of the thirty millions were in feudal serfdom under the sword, the merchants had no social standing, and one million wretches, called either *eta,* or *hinin* (not human), were social outcasts. Only the *samurai,* or pensioned retainers who paid no taxes or tolls and carried two swords, the symbols and instruments of their power, were free. The two nations were widely separated by age-old custom and sternest law. The four classes, in sixteen sub-divisions, were kept apart by barriers which it might be death to cross suddenly, and herein lies the puzzle to Americans who have not a perspective of Japanese history. With Japanese of one thousand, or of only forty years of culture behind them, there is a difference.

Into such a world Ito was born, and by his own account, in 1840. Boyhood was normal, and in nourishment and environment not different from that of the average lad in the lowest of the many-graded *samurai* class in the feudal Japan. In his political sky, sun and moon were Mikado and Shogun, the one to be loved and the other to be hated. Kyoto was the City of the Throne, Yedo the City of the Camp. In Choshiu, the one hope and dream was to overthrow the Yedo usurpation, restore the Mikado to ancient power and, incidentally, to make theirs supreme among the clans. To welcome or to fight the foreigners

was only a subordinate detail. The goal was a united Japan able to face the world.

The bully in Jerusalem who became the untiring saint had two teachers, Gamaliel and Stephen, one for years and one for minutes, but the latter was the greater. So after Ito had instructors in the ordinary old school curriculum based on the Chinese—no mean discipline to those who know it—he had a new master, then a prisoner and on the road to martyrdom, Yoshida Shoin, who was himself a pupil of Sakuma, master of Dutch, the higher criticism of Chinese and Japanese history and the Oyomei philosophy. Thus Ito came to his own by a true succession that resembled somewhat our device of churchly power called apostolic. The Oyomei philosophy identifies knowledge with action, and was the deadly enemy of Yedo official orthodoxy, with its bloody inquisition. Sakuma had told Yoshida to get on Perry's ship and see America. We all know the sequel, which Perry, had he been told it, would have found incredible. Yoshida rejected, seized and sent in a cage to Choshiu, was, by order from Yedo, kept in domiciliary confinement. He promptly turned his prison house into a school. His first pupil was Kido. His janitor, who helped him in his menial work, was Ito, the boy then sixteen years old. Kido, older and of higher rank, was also the master mind. He first opened the door of opportunity to Ito, and helped the boy of lower social rank to opportunity and fame. In later years, as we know and by Ito's own glad confession, Ito carried out Kido's ideas.

That school, called the "Gate of the Pine," had the potency of a university. It consisted of two rooms, the one of eight and the other of six mats, respectively twelve and nine square feet in area. The fireplace was in the middle of the floor, and around this at night the boys gathered, asking questions occasionally and listening long. The talks of the teacher often lasted until far into the morning hours. The topics were not those on the curriculum of the other schools, nor did they concern ancient China and verse-making. They dealt with Japan's present and future. The school began in August, 1856, and closed in January, 1859, when the master was carried in a cage to Yedo. On a wild and desolate spot of ground, Yoshida was executed at ten o'clock in the forenoon of October 10th, 1859, in his thirtieth year. When he was a prince of the empire and Japan

one of the World Powers, Ito wrote, "Many of the pillars of State to-day are men tutored at the Gate of the Pine." Earlier, even, as soon as Yedo had become Tokyo, the Imperial Capital, a noble shrine was built in a fair garden, rich with the pine trees significant of memory, and the cherry blossoms which spoke the language of fruition, both adorning in eloquent symbolism a graceful memorial. To-day one may visit easily "the grave of Yoshida Shoin; the cradle of New Japan."

Under Yoshida's teaching, Ito's world was re-created. Yet he was still a youth, with only the ideas of his time and the potencies of his environment. His master passion was patriotism, of the old Bushido sort, whose murderous and shadowy side is little known in these peaceful and Christian days. Bushido's iridescent glories are as those of the black tar, whose products of decay float on the water of a new stream and become rainbow streaks. Bushido, as written by men who have lived since it died, is, as Sir Walter Scott's picture of European feudalism, a transfiguration, the brutality, lust, pestilences, moral and physical, of both being sunk in the ooze of time.

His teacher Yoshida's head having fallen under the sword, because of alleged plots against Yedo, Ito, breathing out threatening and slaughter, goes forth to kill and burn. In Yedo he would fire the legations, in Kyoto he would slaughter the Shogun. The hated Tycoon had degraded Japan by making (the Townsend Harris) treaties, ignoring the Emperor and insulting his divine imperial ancestry. The Premier Ii (finally assassinated in 1861, vindicated in literature and honored with a splendid statue at Yokohama in 1909) had bartered Japan's sovereignty, planted the hated foreigners' tribunals on the holy soil.

When come to power, Ito crossed many oceans and spent nearly thirty years of tireless toil to get extra-territoriality abolished, win back Japan's full sovereignty and secure the equality of his country before the world. No wonder that the Mikado grieves for his most fatherly adviser and his most loyal subject, and that a nation mourns its second founder.

Clear as flawless crystal was Ito's motive when, with sword and torch, he hoped to embroil the feudal head of Japan with the treaty Powers, hoping to bring on bombardment, yes, invasion, if necessary; for in the confusion he hoped to see the Yedo

usurpation fall and the imperial power rise in a united Japan. Then would China's world-sovereignty (the Holy Roman Empire notion in Asia) and Japan's reputed vassalage end, Russia be checked, and honorable treaties with the Western nations be made on equal terms. Was this a roundabout way to constitutional imperialism? It was the only path visible to the stripling of twenty.

Suddenly the swordsman Ito left his clan and disappeared to preach the gospel he once destroyed. Never again was sword or torch carried. Brave as a lion, flinching from no menace, he became henceforth in habit of mind the apostle of peace. For forty-six years most of Ito's battles have been against Japan's hereditary militarism.

Evading the spies, entering Yokohama, cutting off his topknot and buying a sailor's cast-off suit and brogans, Ito and Inouye, hiding by day, and, at the last moment, when their English friend hesitated, threatening to commit hara-kiri, secured passage on a British ship to Shanghai. They had eight thousand dollars, in gold and English drafts, belonging to the Choshiu clan (given them in charge some time before for the purchase of rifles) and two books—a wretched little Japanese-English dictionary and a history by Rai Sanyo (whose name is incised on the granite of Boston's Public Library). By a mistake, because they had used the one English word they knew, "navigation," they were put with the sailors and before the mast. During four months at sea, without stopping at a single port, they swabbed, bunked, hauled ropes and ate hardtack and salt pork. Yet these four months in a sailing-ship were an education. In London, Inouye put down a gold sovereign for a loaf of bread—and received no change. "This was their welcome home"—into the Western World of greed and glory.

Nevertheless Ito believed. Amid countless proofs that the Anglo-Saxon had the powers of the world to come, he resolved to lead Japan into it. He dedicated himself to the one work of screening the evolution of the modern man.

Before he could read the London "Times," his English friends told him of the news from Choshiu. His clan had raised the flag inscribed "In Obedience to the Order" (*i.e.*, from the Mikado, as alleged, to expel foreigners from Japan), and "With Pure Heart" (to obey it). Sixty cannon bristled on Shimoneseki

heights, and our own Captain McDougall, in the "Wyoming," the Dutch Admiral Cassembroot and the French Admiral Joures, trying the mettle of the Choshiu gunners, were somewhat astonished to find eight-inch shot and shell flying round them. The next year, four Powers—England, France, Netherlands and the United States—assembled an allied fleet of seventeen ships, with 208 guns and nearly 8,000 men, to chastise Choshiu. In this they were egged on by the Yedo Government.

To Ito and Inouye in London this was magnificent, but it was not war. It seemed madness. Making the swiftest passage to Japan possible, the two Japanese lads arrived at Yokohama. The reputed "Mr. G. Bonnar, from Lisbon," in faultless London clothes, deceived his own countrymen, but the keen eyes of the Yankee missionary, S. R. Brown, detected the truth, though he kept quiet. The British gave him free passage and ten days grace, but at home Ito pleaded and preached in vain. The clansmen opened fire on the fleet only to see their batteries crumble and their cannon carried off as trophies. Then, swearing by all the gods of heaven and earth to learn the secrets of the aliens' power, some of them took on Ito's mind, resolved to bury clan feuds and unite all Japan for equality with the world. The others went after Ito's body to make it a corpse. They were foiled by the woman now a prince's widow. Thirty years later Ito met Li Hung Chang at this same city of Shimonoseki, when China on her knees begged for peace.

Thus escaping assassination, attempted by the infuriated and beaten men of new experience but of old minds, the man who had hitherto been known as Hayashi Uichi, but who in 1868 was summoned to Kyoto under the name of Ito Shunski, spent his time during the four years until the *coup d'état* of 1868, in trying to establish a school in his native province and more or less in the clan councils. He met numerous Americans and Englishmen, but excitement was too great to begin education. He came into contact with Baron Echizen, with Sanjo and Iwakura, the court nobles who afterwards became prime ministers, but he was not yet of sufficient age or rank to have much to do in great action or high council, and during the days of the decisive moves which late in 1867 put the palace and the Emperor into the hands of the men who made the new Government and even during the famous battle of Fushimi, Ito was in his

own province. Quickly coming back, he was given a minor position in the Bureau (it was not yet a Department) of Foreign Affairs. He acted as interpreter when the British and American ministers, despite the murderous attack of fanatics with reddened swords and piled corpses, looked upon the face of the Mikado. Henceforth Ito was near if not at the centre of things, and in time, being close to the Mikado, could touch the springs of power. Whatever variety of opinions there may be concerning the actual abilities and real personality of the Emperor of Japan, he is a profound student and an almost unerring judge of men. In reposing from the first a never-shaken confidence in the man henceforward known as Ito he made no mistake.

It was Okubo, a man of the highest abilities, who had the Mikado changed from a god to a man and come into the public gaze. It was Okubo who secured the removal of the capital to Yedo. Henceforth Ito was a greater man for knowing Okubo. His mind was richly stimulated and fertilized by this his new-found friend and fellow worker. If, in 1878, Ito, riding at the state funeral of Okubo, struck down by assassins, smoked a cigarette to steady his nerves, who could blame him? It was after Okubo's decease, Kido having also passed away, and not until then, that Ito became Japan's greatest man.

Noblest of all the moral reforms, equalizing if not excelling the master stroke of Lincoln in emancipating black slaves, since there was no military necessity in it, was the imperial edict of October, 1871, lifting up to citizenship the one million outcasts. This was the work of Yokoi, assassinated in Kyoto in 1869, for proposing this measure and also liberty of conscience.

The new Government, composed of young men, found itself without army, navy or revenue and lacked nearly all the equipment of a modern government; but they had the Divine Emperor, and hence the potencies of the future. Following out the two master principles to which his life was consecrated, Ito with his colleagues proceeded to switch off two hundred and eighty subordinate loyalties into one current of overpowering force: in a word, to abolish feudalism. Okubo led the way, persuading his Satsuma lord to hand over his fief and hereditary power to the Emperor. Choshiu, Hizen, Tosa and Echizen and others quickly followed. After such an example, what smaller or hostile barons could refuse to follow? On October 1st, 1871, I saw in

the castle of Fukui, Echizen, the gathering of three thousand knights as their feudal lord bade them farewell. Hundreds of similar scenes followed. Nearly three hundred castle lords came to Tokyo to be private gentlemen, and 400,000 heads of families had now but one loyalty—the Emperor. Patriotism became a new word and idea.

A political miracle without bloodshed it was, indeed; yet I heard the premier Iwakura in Tokyo say, "We had expected to shed blood and were prepared to do it." Soon, like claps of thunder, followed the logical results, astounding those who could not see as the leaders saw: commutation for a term of years, then abolition of hereditary incomes, all the gentry being obliged to earn their own living; the abolition of the custom of wearing swords; the uplifting of the merchant to social standing; the opening of the army, navy, courts and schools to all classes of society.

The enterprises of railways, telegraphs, lighthouses, coinage and public schools were now rushed through. It nearly took my breath away when I saw four merchants, shopkeepers or traders, instead of grovelling on the ground on all-fours with head in the dust and breath drawn in, standing and giving an address to the Emperor and receiving one from him. For some months they kept up the mystery play of the living god, and sprinkled and fumigated the Emperor when he met the foreign envoys or Mr. Seward and other private persons of renown; but by and by they put the Emperor in clothes like other men and he became winsomely human. It was both fun and honor to us, men and women in Tokyo, when he bowed to us at short range from his carriage and invited us pioneer educators to an audience in his palace. Surely none can doubt the sweetly human character of Mutsuhito.

Japan's first necessity was to be rich. The development of her resources might wait a little while, but honest money for standard and currency was imperative. A thousand forms of local paper money in the clans and metallic issues from Yedo, of all weights, shapes, sizes and diameters, must go to the furnace and crucible. Milled coins, hypothecating numbered and registered treasury and bank-notes would bring simplicity, order and prosperity. Where, but to a country using the decimal system, should Ito go? He reached Washington, studied our treas-

ury, mint and financial methods. He became not only a believer in the gold standard, but even more a Hamiltonian. He read the Constitution of the United States and found the "Federalist" more interesting than a novel. Returning to Japan, a mint was established at Osaka.

Now came the carrying out of the proposal, made first by Dr. Verbeck, of an embassy round the world, to study Western civilization, of course, but with the main purpose of securing sovereignty for Japan and the abolition of the foreign consular court. Mr. De Long warned them as to the defective nature of their credentials; but, roughly speaking, the only foreigner that these young optimists believed in at that time was Guido F. Verbeck the American, though they trusted Sir Harry Parkes in some things. Because France had virtually interfered in their politics, favoring the losing party, they were long suspicious of her motives in diplomacy, nor were surprised in 1895 and 1905. Toward Germany, with all respect for the learning of her sons, they have never felt overwarmly.

The embassy went round the world, but no Government would revise the treaties, while law codes and prison systems were still pagan and the persecution of Christians was permitted. In Washington the premier's eyes were opened wide. The strength of the central government, in a republic, astonished him. At that time Japan needed, as she will long need, to hold and keep at the centre all of power she can. After some chilling receptions in Europe, telegrams were sent home ordering down and out all the anti-Christian edicts so long hung in public places. Ito learned that the Christianity of to-day is not that of the Inquisition and but slightly involved in international politics. In Ito's mind religion had little or no place, except as a matter of political expediency. His own liberty and that granted to others in this realm of thought and life was the liberty of indifference. In later years he came to see the profound value, both to the individual and to the commonwealth, of this deepest part of man's nature, and that human beings, being "incurably religious," must be treated with this fundamental fact ever in view.

Yet Ito had also the saving sense of humor. There was in him not a little of the vein that enabled Lincoln to bear his awful burdens. He loved fun and chaffing. On the night of

October 16th, 1909, when leaving for Harbin and death, he was in his merriest mood, poking fun at Count Okuma to the limit. In Europe in 1872 the grotesque incongruousness of the situation struck him and made him laugh very hard inwardly, though he preserved his face before his elders. Here was Japan professing all sorts of liberal sentiments, almost in the spread-eagle vein, and yet persecuting and imprisoning people of the same religion with those for whom they hoped to gain recognition as equals. I myself remember how strange it seemed, with such liberality of mind professed in Tokyo, that I should find in my path over the mountains about seventy people, from gray-haired men and women down to nurselings, in blood-red criminal clothes and roped together like coffles of slaves taken to distant exile and prison.

The embassy's return in 1873 was awaited with feverish impatience. Korea had grossly and violently insulted Japan by sending letters taunting the Island Kingdom for adopting Western ideas. China was behind Korea, for on January 1st, 1872, Japan had adopted the calendar of Europe, which in Chinese ideas meant Japan's absolute independence of the Middle Kingdom's rule and culture, since the acceptance of a calendar was construed in China to mean vassalage. Great Saigo, "the Sword of the Revolution" of 1868, led a party demanding the invasion and occupation of Korea and its annexation to Japan. Even to-day some Japanese think Saigo a far-seeing prophet, claiming that his policy, if carried out, would have saved the two wars with China and Russia. I think them totally mistaken. At any rate, there was held the first of many significant debates in presence of the Mikado and before the Throne. The gist of Okubo's and Ito's arguments was this: the imperative need of Japan was internal development and reconstruction. To invade Korea at that time would be to play into the hands of Russia.

The Korean war party was beaten. But the sequels, with close logical connection, were the various insurrections of the disarmed and impoverished gentry, and the great rebellion of 1877 in the southwestern provinces which cost over twenty thousand lives and possibly a hundred million dollars. Yet the costly sacrifice was not in vain. It was proved that an army made of all classes could fight knights. No more eloquent proof of valor and ability could be imagined than the nicked and bent bayonets of the re-

turning soldiers, whose weapons had crossed the two-handed sword blades of the samurai in hand-to-hand conflict. The victory was won. It was like a title of nobility given to a peasant boy to call him into the service of his Emperor, and in 1903 I, with all who knew, predicted the certain success of the Japanese, because an army of knights, graduates of the public school, was to go forth and fight a host of Russian *mujiks*.

From the death of Okubo, Ito, now Japan's first great man, carried on his work in amplitude of resource and with the full confidence of his Emperor, on the principle that the Mikado, and not any legislative assembly, was the centre of power. In the nature of the case, parties could not yet form on the basis of fixed policy or principles, for the passionate instincts of clanship still dominated, and political knowledge was as yet not widely diffused. Under Ito's initiative, however, there were formed local assemblies in each prefect for the education of men who should in time serve in the national Diet. A new order of nobility was formed, in which both the old court nobles, the territorial nobility and the new men of talent found their graded place. Then a Senate or council of wise councillors was created, a supreme court formed, and with the removal of several intermediary courses in the political structure, something like a modern Cabinet, with Ito as Minister President of State, took the place of the older forms in the interest of simplicity and strength.

A perfect snow-storm of petitions was now poured upon the Government, asking that the Oath of 1868, to form a representative assembly, should be fulfilled and an Imperial Parliament assembled. These were critical years and the freedom of the press was not only greatly restricted, but certain repressive measures were resorted to, in the interest of what seemed to be too severe a centralization of power. However one may admire Ito's abilities, no judicial person can justify the issue of the Peace Regulations, so called, which sent a good many upright and loyal patriots to prison—unless one is ready to argue that results always justify means. However, the promise of 1882 that a constitution would be promulgated in 1889 was duly fulfilled. Ito went to Europe, studied especially in Germany, came particularly under the influence of Dr. Kneist in Berlin, and of Mr. Stein in Vienna, and imbibed thoroughly the very congenial doctrine that all authority resides in the Emperor and the Constitution

is the gift of his unmerited grace. Ito gave comparatively slight heed to the system of the Anglo-Saxon peoples in which the ministers are responsible to the national legislature. As a matter of fact, most of the great leaders on the side which favor the English system were trained under the influence of American missionaries.

The Constitution, however, was duly proclaimed at the promised time, and in its workings Ito was both servant and master. Four times he served as premier, knowing well when to resign and retreat, as well as the right moment for advance and firmness. His master stroke was in uniting several parties or groups into an organization called the Seiyu Kai, or Friends of the Constitution, which, whatever its virtues or failings, has certainly been potent in training legislators to act according to principles, and not to follow personal instincts.

In foreign diplomacy Ito never shirked meeting face to face the great men of other nations, for he believed that wars could be averted by the responsible principals meeting as gentlemen in conversation. When China violated the Li-Ito agreement of 1885 and, unable to forget the past, followed her old tactics toward her so-called "vassals," the Diet voted all that Ito asked, in supplies for the war, by acclamation. Accepting in 1895 the results imposed upon Japan by allied Germany, France and Russia, Ito, who had anticipated the European movement, seeing in the action of France and Germany only a repetition of old-time offences, foresaw clearly the coming struggle with Russia. He now bent his energies to perfecting codes of law and getting the nation worthy to be ready for its fast-approaching recognition by the world of Japan's full sovereignty, in which movement Great Britain was to lead. The logical result of Sir Harry Parkes's initiative of 1868, in first recognizing the Mikado's government, and of the thirty years' tireless persistence of Ito was the Anglo-Japanese alliance.

The Boxer uprising at once emboldened Russia to walk into a trap and gave Japan an invaluable military experience. When the Muscovite broke his promises to evacuate Manchuria and invaded Korea, both with soldiers and financial exploiting operations, while delaying and postponing all explanations, in the face of Japanese protests, then the war shadow of a hundred years turned to reality. When Japanese war science and valor had humbled the Tsar and his hosts, it was Ito's moderation that

was the dominant factor securing peace. Ito knew too well the bad crops and the weak finances at home, and that with improved Russian facilities of transportation and an army reinforced and larger than ever, the time to stop had come. Knowing his people and the military, he foresaw the storm of wrath would burst at home when the news from Portsmouth should come. Three hundred thousand young conscripts had not yet fired a shot. The newspapers and the masses expected a heavy indemnity. It is morally certain that Ito and the wise men of Japan did not.

The crowning act of service for an old man, suffering not a little from angina pectoris and burdened with years and toil, was the work of regenerating a country, one of the worst governed on the face of the earth and with but half its arable soil cultivated. A population of less than eight million lived in chronic poverty, varied by insurrection, for a small body of noblemen landlords sucked the vitality of the nation. No system of public education or justice, worthy of the name, existed. All the reports of long dwellers, missionaries, diplomatists, merchants, and the native books, caricatures and literature, tell one and the same story. The personal lovableness of the individual Korean is unquestioned. The refinement and scholarship of the few are undoubted. Cho-sen's ancient glories are patent to the scholar. Yet after centuries of oppression there is a lack of moral stamina. Whatever may have been the necessities, or the blunders of the military, Ito in Korea ever stood as the enemy of the rascally Japanese, held in check the soldiers and strove night and day to give the native people justice, education and uplift. In a word, he tried to do for Korea what he had done for Japan—to help and to protect the evolution of the Korean into a modern man. His one insistence was for a protectorate and not annexation. He met his death while on his way to confer with Russia's representative in regard to vital and intricate questions in Manchuria, but with a supreme desire for the world's peace and the welfare not only of his own, but of other nations.

Ito's work is done. Whatever his limitations, his life stands in history for the uplift of man. He was more than a Japanese. He belonged to the world's brotherhood, and humanity is poorer without him.

WILLIAM ELLIOT GRIFFIS.

THE ATTITUDE OF THE JEWS TOWARD JESUS.

BY DR. ISIDOR SINGER.

I.

In view of the well-known fact that the overwhelming majority of so-called Jewish converts in Austria and Germany—there are very few of these pseudo neo-Christians in Russia, and almost none in other parts of Europe or on this continent—enter the Church for merely selfish reasons, a Jewish wit offered the following definition of them: "A Jewish convert is one who pretends to believe in dogmas and to follow traditions which the educated Christian himself is gradually abandoning." I know this statement will be a hard blow to those pious Christian souls who contribute to the Jewish Missions; but there is consolation for the millions of genuine followers of Christ in the other fact that thousands, yea, tens of thousands, of educated and noble-minded Jews in our day, while firmly standing upon the monotheistic platform of the Synagogue, are gradually giving up the attitude of their forefathers toward the central figure of Christianity—which was a pathetic mingling of ignorance, antipathy and fear.

I can bear witness to this momentous change from my own personal experience. When I was a boy—that is, between thirty-five and forty years ago—in my little native town in Moravia, had my father or any other member of the congregation heard the name of Jesus uttered from the pulpit of our synagogue, he would have immediately left the building in indignation, and the rabbi would have been summarily dismissed. To-day, however, it is not strange in many synagogues, especially in this country, to hear sermons preached eulogizing this same Jesus; and nobody, except a few Pharisaic followers of the neo-Romantic

school of Judaism, thinks in earnest of protesting against claiming — with some dogmatic reservations, of course — Jeshua ben Joseph as one of the noblest twigs of the old branch of Judah.

II.

In 1899, at the suggestion of Dr. I. K. Funk, a number of the most eminent Jewish theologians, historians and philosophers in Europe and the United States were circularized with a view to ascertaining what some of the representative contemporary Jews have to say about Jesus and His teachings. Twenty-six gentlemen participated in the symposium: twelve theologians (six American, six European); seven students of religion, historians, philosophers (one American, six European); and seven prominent laymen (four American, three European). The chairman of this little Sanhedrin was Dr. K. Kohler, the leading Jewish theologian of the American continent and president of the Hebrew Union College at Cincinnati, Ohio. The following quotations from some of the contributions to this symposium are of profound interest, as indicating the attitude of intelligent Jews toward Jesus to-day. The views of Dr. Kohler, being of the most authoritative character, deserve the place of honor. He said:

". . . Jesus, the living man, the teacher and practiser of the tenderest love for God and man, the paragon of piety, humility and self-surrender, whose very failings were born of overflowing goodness and sympathy with the afflicted, the Jews had no cause to reject. He was one of the best and truest sons of the synagogue. . . . What reason had the Jews for hating and persecuting Him who came only to weep with the sorrowing, to lift up the down-trodden, to save and to heal? He was a man of the people; why should the people have raised the cry, 'Crucify Him!' against Him whose only object in life was to bring home the message of God's love to the humblest of His children? . . .

"But He was more than an ordinary teacher and healer of men. He went to the very core of religion and laid bare the depths of the human soul. As a veritable prophet, Jesus, in such striking manner, disclaimed allegiance to any of the Pharisean schools and asked for no authority but that of the living voice within, while passing judgment on the law, in order to raise life to a higher standard. . . .

"The Jew of to-day beholds in Jesus an inspiring ideal of matchless beauty. . . . His name as helper of the poor, as sympathizing friend of the fallen, as brother of every fellow sufferer, as lover of man and redeemer of woman, has become the inspiration, the symbol and the watchword for the world's greatest achievements in the field of benevolence. While continuing the work of the synagogue, the Christian

Church with the larger means at her disposal created those institutions of charity and redeeming love that accomplished wondrous things. The very sign of the cross has lent a new meaning, a holier pathos, to suffering, sickness and sin, so as to offer new practical solutions for the great problems of evil which fill the human heart with new joys of self-sacrificing love. . . .

"All this modern Judaism gladly acknowledges reclaiming Jesus as one of its greatest sons. But it denies that one single man, or one church, however broad, holds the key to many-sided truth. It waits for the time when all life's deepest mysteries will have been spelled, and to the ideals of sage and saint that of the seeker of all that is good, beautiful and true will have been joined; when Jew and Gentile, Synagogue and Church, will merge into the Church universal, into the great city of humanity, whose name is 'God is there.'"

Let us now listen to a voice from the grave, that of Dr. Gustav Gottheil, late Rabbi of Temple Emanuel, New York:

". . . To place the Master of Nazareth by the side of the Jewish prophets can surely be no dishonor to them, nor can it dim the lustre of His name. If He has added to their spiritual bequests new jewels of religious truth, and spoken words which are words of life, because they touch the deepest springs of the human heart, why should we Jews not glory in Him? Show us the man, help us to understand his mind, draw from his face the thick veil behind which his personality has been buried for the Jewish life by the heartless zeal of his so-called followers, and you will find the Jewish heart as responsive to truth and light and love as that of all other nations."

The group of non-theological Jewish scholars may be fitly led by one of the greatest living students of religion, Dr. Morris Jastrow, Jr., Professor of Semitic Languages at the University of Pennsylvania, who said:

"From the historic point of view, Jesus is to be regarded as a direct successor of the Hebrew prophets. His teachings are synonymous with the highest spiritual aspirations of the human race. Like the prophets, He lays the chief stress upon pure conduct and moral ideas; but He goes beyond the prophets in His absolute indifference to theological speculations and religious rites. It is commonly said that the Jews rejected Jesus. They did so in the sense in which they rejected the teachings of their earlier prophets; but the question may be pertinently asked, Has Christianity accepted Jesus? Neither our social nor our political system rests upon the principles of love and charity, so prominently put forward by Jesus.

"The long hoped-for reconciliation between Judaism and Christianity will come when once the teachings of Jesus shall have become the axioms of human conduct."

Let us now cross the ocean, and go over to Paris to listen to the celebrated writer, Dr. Max Nordau, and the great French philologian, Théodore Reinach. Dr. Nordau said:

"... Jesus is soul of our soul, as He is flesh of our flesh. Who, then, could think of excluding Him from the people of Israel? St. Peter will remain the only Jew who said of the son of David, 'I know not the man.' If the Jews up to the present time have not publicly rendered homage to the sublime moral beauty of the figure of Jesus, it is because their tormentors have always persecuted, tortured, assassinated them in His name. The Jews have drawn their conclusions from the disciples as to the master, which was a wrong, a wrong pardonable in the eternal victims of the implacable, cruel hatred of those who called themselves Christians. Every time that a Jew mounted to the sources and contemplated Christ alone, without His pretended faithful, he cried, with tenderness and admiration: 'Putting aside the Messianic mission, this man is ours. He honors our race, and we claim Him as we claim the Gospels—flowers of Jewish literature and only Jewish.'"

Dr. Théodore Reinach, member of the French Parliament, formerly president of the *Société des Etudes Juives,* said:

"Although we know very little with certainty concerning the life and teachings of Christ, we know enough of Him to believe that, in morals as well as in theology, He was the heir and continuator of the old prophets of Israel. There is no necessary gap between Isaiah and Jesus; but it is the misfortune of both Christianity and Judaism that a gap has been effected by the infiltration of heathen ideas in the one, and the stubborn (only too explainable) reluctance of the other, to admit among its prophets one of its greatest sons. I consider it the duty of both enlightened Christians and Jews to endeavor to bridge over this gap."

Let us now recross the Atlantic and listen to the short, but pregnant, sentence of the recognized leader of American Judaism, the great banker and philanthropist, Jacob H. Schiff, who said:

"We Jews honor and revere Jesus of Nazareth as we do our own prophets who preceded Him."

The selections from this symposium cannot be more fittingly closed than by the beautiful words of one of the worthiest representatives of the Jewish lay-world, Harris Weinstock, a wealthy merchant of the Pacific coast, whose book on "Jesus the Jew," partly an outcome of the symposium, reflects with rare eloquence and laudable sincerity the inner struggles of the liberal-minded and educated Jewish layman of our day:

"With the growing enlightenment and the broadening atmosphere under which the modern Jew lives, the progressive Jew looks upon the

Nazarene as one of Israel's great teachers, who had a potent influence on civilization, whose words and deeds have left an undying imprint upon the human mind, and have done heroic work toward universalizing the God of Israel and the Bible. This change of sentiment toward Jesus is largely due to the intelligent and progressive preaching of our modern rabbis, who seem to appreciate the glory Jesus has shed upon the Jewish name, and the splendid work He did in broadening the influence of the Jewish teachings. . . .

"No Jewish education can be complete that does not embody within it a comprehensive knowledge of Jesus the Jew, His life, His teachings and the causes which led to His death. . . ."

III.

After thoughtfully perusing these testimonials, the Christian reader will probably ask himself whether he has just been dreaming a beautiful dream. But no. It is reality; and not only the Synagogue, but also the Church, feels that spring is near and that the doors are opened wide to let out the musty air of the centuries and let in the fresh breeze of religious harmony. A New Theology is knocking at the pulpits of priest, pastor and rabbi. Every one of them feels the old theological platform giving away under his feet. The hour seems to be at hand when Roman Catholic, Protestant and Jew, and whoever believes in one personal God and the moral order of the Universe, shall be able and willing to gather about the same monotheistic banner. Are we Jews ready to claim the New Testament, which was written in an Aramaic idiom, written almost entirely upon the soil of Palestine by Hebrew writers for a mainly Hebrew audience—are we ready to claim this work as a continuance of the Old Testament, tearing out the white leaf which separates Malachi from St. Matthew? Have we children of the twentieth century, indeed, the inner strength that will enable us to rise to the sublime spiritual platform of the prophet Malachi, who in our Bible keeps, so to say, the watch on the border line of the two dispensations—when he asked: "Have we not all one father; hath not one God created us?" Is the time ripe for Hebrew scholars to take up the study of the New Testament with the earnestness and zeal with which Christian scholars study the Old Testament? Have we the men among us to write and finance an enterprise advocated by the writer of these lines, many years ago: the publication of a translation of the New Testament and the Apocrypha, and a thoroughly critical commentary on them, by a band

of Hebrew scholars? They would feel more at home in this field than the majority of Christian theologians, who are unable to grasp fully the Oriental meanings and allusions of this "Christian Midrash," as August Wuensche, the famous Protestant Orientalist, calls the New Testament. Only to him, indeed, who is familiar with Hagadah and Halakah are the dialogues of Jesus with His disciples and followers absolutely clear. And here may I be permitted to suggest to some scholar of the progressive Cincinnati School — the Hebrew Union College — that he give us a supplementary volume to R. T. Hereford's excellent treatise on "Christianity in Talmud and Midrash," by pursuing the subject through the vast Hebrew literature of the Middle Ages, down to our own days? I appeal to our theological school in the West, because the authorities of the orthodox Rabbinical seminary of New York would reject such a suggestion as a shockingly indelicate one.

In brief, the question is: Has modern Judaism, after an interval of 1,839 years, the will and the force to resume the great monotheistic world-propaganda which our ancestors, blinded by national passions, had abandoned shortly before their war with Rome?

As early as the second century, B.C., according to the best Greek and Roman authorities, there was no island, no town in the vast Roman Empire without its Jewish or Judeo-heathen colony, thus preparing the soil for Judaism's child, Christianity. Later on, Hillel and his school became the centre of a powerful missionary activity, and Gamaliel, the teacher of the apostle Paul, belonged to this school. And of the great Gamaliel's son, Simon Gamaliel, who was murdered by the Jewish zealots in the beginning of the Roman-Jewish war, the following principle has been handed down by tradition: "If a heathen presents himself to enter Israel's tents, stretch out your hands to lead him under the wings of the Godhead." Even to-day, pious Jews all over the world, in reciting the thirteenth of the eighteen Benedictions (Shemone Esre), the central piece of the Jewish daily prayer-book, which dates back, in some of its parts, to the first century, B.C., pray for the welfare of the proselyte. Jews are still to-day proud of Poppæa, the wife of Nero, and of the great Roman lady, Fulvia, both great admirers of the Jewish religion; and we point with great satisfaction to King Izates of Adiabene and his mother

Helena, who embraced Judaism in the middle of the first century, A.D., to be followed, nine hundred years later, by the royal house and the people of the Chazars. And is the book of the prophet Jonas, at bottom, anything else than a plea in favor of pagan missions?

The continuous stress and uniform jeremiades of nearly all of the Jewish charitable institutions not only in this country, but throughout the entire household of Israel, has certainly a deeper *voelker-psychologische* meaning than many of the professional social workers and philanthropists may dream of. There is, of course, no excuse for the rich Jew or well-to-do Jew for not doing his full duty by his poor brother. But in this systematic indifference of the modern Jew with regard to exclusively sectional and racial institutions, may we not, indeed, discern a semi-conscious tendency to reach out into a broader, common brotherhood? Have we not the right to expect that the day will come when the Jewish community, over the heads of its either benighted or hypocritical religious leaders, will give up the Law definitely and officially, forsaking the old Oriental Sabbath and the totemistic dietary laws, and even giving up the "Jewish" cemetery? As if every part of God's earth were not holy ground in which the mortal remains of our dear ones might fittingly be laid to rest!

The Jewish Diaspora, during the first millennium of the Christian era, willingly submitted to the decisions of the Rabbinical schools of Palestine and Babylonia, exchanging for a further period of about eight centuries this Oriental religious tyranny for one of European extraction. Thus, our poor ancestors grew into a "community hating everybody and hated by everybody," to use the expression of Tacitus.

The time now seems to have come to shake off, once and for all, this intolerable Pharisaic yoke; and no other Jewish community on earth is so well qualified to start on this work of salvation for the house of Israel and for humanity at large as that of the United States, which is a kaleidoscopic composition of the Jewries of the entire globe. In order to inaugurate its great spiritual world-mission, it will only have to modify its central religious dogma so as to read: "Hear not only O Israel, but all humanity, the Lord our God is One God."

ISIDOR SINGER.

NEW BOOKS REVIEWED.

FOLK-LORE.

"THE Religion of Primitive Peoples"* inaugurates a series of "Studies in the History of Religions" which, if the volumes already announced on Buddhism and Islam are as weighty, as crammed with scholarly research and personal knowledge, will render notable credit to the Catholic Church which sets its *imprimatur* on the first leaf of this the first of them. Monseigneur Le Roy, already the author of a book upon the Pygmies, was himself a missionary for many years in Central Africa and has the records of his order to draw upon as well as his own notes. He knows the little black men and loves them. He has, moreover, like all Frenchmen (it is a commonplace of criticism), a style which is both clear and elegant, and adds to that the pleasantness, the logical quickness and dexterity, and the ready humor, proper to a trained priesthood. It is impossible not to enjoy, for example, the misadventure of a European who violated a Tabu and thereafter served experimentally to justify it; or the bungling of an anthropologist who spoke out of his ignorance about the Catholic Church; or, on the other hand, his picturesque if elaborate analogies between that thick-forested and well-watered sub-tropical world and the intelligences which people it. Nor could we spare his beautiful and touching conviction that all real religion is right religion and that "God who at sundry times and in divers manners" has declared Himself since the creation is the God of Central Africa and of all primitive peoples. But we could wish that he would not leave all the good manners and all the essential logic to the devil and his allies. Why should an anthropologist utter himself on such irrelevant questions as the

* "*La Religion des Primitifs.*" By Monseigneur A. Le Roy. Paris: Gabriel Beauchesne et Cie, 1909.

anti-Semite trouble and freemasonry and women's clubs? Why should the definitions that appear so good turn out to be like the schoolmaster's explanations, that must not be discussed, or like the officer's orders, that need not be understood? Undoubtedly some writers have over-simplified the hypothetical primitive intellect, but here it is hard to tell whether the good Bishop attributes too advanced a psychology to his protégés or is himself in his social intelligence still at their stage. He is probably wrong in tracing back all their morality (as distinguished from religion) to a strong and exact sense of justice; he is indubitably wrong in making of totemism a mere pact with the animal kinds. So would the framers of our Constitution and J. J. Rousseau have reasoned, but not so we. Some aspects of the struggle which, by implication and directly, he is making against "laïcisation" seem very odd to Americans, and his limitation of man's duties other than religious must call out the shrug and the smile. Not so do we conceive of man's duty to his fellow. Yet the book is charged not only with interest, but with feeling. Very touching are the poems he quotes, and the saying: "Death is like the moon, who has seen the other side of it?" And unspeakably piteous and terrible in any perspective but the missionary's is this religion of the shy, wild little men in the deep African forest who, when one of their number dies, "bury him deep and the rest go farther, for it is dangerous to remain under the eye of God."

Of Professor Frazer's last attempt* "at sorting out the seeds of good from the seeds of evil, in dealing with the bases of civil society, property, government, marriage and respect for human life," the fanciful title suggests some of Ruskin's, but the tone and temper of the book are by far less erratic and notional and emotional than that of the great critic of art and life. In working in the very unacademic field of anthropology, in which there exists no great body of opinion, no stored learning and ancient wisdom, only an accumulation of unorganized facts for the inductive method to deal with, the author has shown, here as always, what we call in its best sense the academic spirit.

* "Psyche's Task: A Discourse Concerning the Influence of Superstition on the Growth of Institutions." By J. G. Frazer. New York: Macmillan & Co., 1909.

He has the breadth, the calm and judicious outlook, and the tone of detachment that belong only to the great universities and their greatest sons. He is never abusive, only ironic; he is never hortatory, only suggestive; he is never argumentative in the two-and-two-make-four manner, he only builds up his syllogism delicately and leaves the inevitable conclusion for the reader to supply. In him studied temperance of speech and thought goes, as so often, hand in hand with a sort of noble seriousness about the things that are worth while. As always in approaching the ideal of the gentleman and the university man, we find something rather Greek in the gravity and restraint of manner, and the respect for conduct, the stress on the duties of man in society. Out of superstition have come those civil institutions which seem "to be bottomed on nothing but hard common sense and the nature of things," but the institutions are none the worse for their origin. "What concerns society is conduct, not opinion; if only our actions are just and good, it matters not a straw to others whether our opinions be mistaken." No brief review can justly praise, far less exemplify, the impression which this volume leaves of an urbane and profound culture, and of a tempered beauty of style which has the memory of all the ages behind its wise amenity. "At Athens cases of murder were tried before the Areopagus by night, and it is by night that I have spoken in defence of this ancient power of darkness. But it grows late, and with my sinister client I must vanish before the cocks crow and the morning breaks gray in the east."

Dr. Ginzberg has saved his notes and all his critical comment for a final volume and massed them in a sort of appendix to those legends which may be expected, if all goes well, about three years hence. All critical and scholarly discussion must be reserved till then, but meanwhile there is praise for the mine of delight in this first volume,* which begins somewhere before the Hebrew alphabet—long and long before the creation of the

* "The Legends of the Jews." By Louis Ginzberg. Translated from the German manuscript by Henrietta Szold. Vol. I. The Jewish Publication Society of America, 1909.

world—and stops after the death of Jacob. Almost everything is in it, but even more curious are the things which are out of it. We have, for instance, the story of Adam's coming to die and sending Seth to Eden gate to fetch the oil of mercy, but not a word of the three seeds whence was to spring the wood of Holy Cross. Hints of all literature are here: trees blossoming at God's approach as Dante saw them do in the "Purgatory," man created with "two faces which were separated at the birth of Eve," as Plato says they were in the "Symposium." Apologues there are;—how Falsehood took Misfortune for a partner because everything went into the ark two by two; fabliaux a-plenty, clever tales of clever beasts; folk tales of the earlier sort, which answer the question *why?*—why the Bear runs after the Pleiades. Some miracles wrought by Abraham long after death suggest strongly the local saints of the French and Italian countryside. Days, qualities, all sorts of abstractions, have person and personality,—the Sabbath, the Shekinah, the furrow after Adam's fall, in a way that suggests the peculiar genius of Rossetti and recalls that he is said to have had a Jewish grandmother. Much is quaint—not least the ingenious system of pilfering practised in Sodom and Gomorrah—but on the whole all is fine. "While sitting under the oak of Mamre, Abraham perceived a flashing of light and smell of sweet odor, and turning around he saw Death coming towards him in great glory and beauty. And Death said unto Abraham: 'Think not, Abraham, that this beauty is mine or that I come thus to every man. Nay, but if any one is righteous like thee, I thus take a crown and come to him; but if he is a sinner I come in great corruption, and out of their sins I make a crown for my head and I shake them with great fear so that they are dismayed.' Abraham said to him: 'Art thou he, indeed, that is called Death?' He answered and said: 'I am the bitter name,' but Abraham answered: 'I will not go with thee.' And Abraham said unto Death: 'Show us thy corruption.' And Death revealed his corruption, showing two heads—the one had the face of a serpent, the other head was like a sword."

The beauty of folk-lore, as of all sciences still in the making, is that the same data will serve every man's turn and prove at

will exact contradictories. From time to time a little material is added by travellers and diggers, but mostly scholars are busied in rearranging the mosaic and trying fresh patterns. Dr. Mahaffy, when he was over here last year, made a great deal of that prehistoric and pre-Aryan race the Firbolgs by way of taking all the glitter out of the Celtic Renascence. According to him, the great decorative genius to which testify the stone crosses, the manuscripts, the wrought gold and other early Irish remains, belongs to the strain of this non-Celtic folk, along with most of the fine and romantic spiritual qualities with which the late Matthew Arnold made us so familiar, and the Celtic stock is of a pretty poor sort and so are the Celtic poets—all this according to Professor Mahaffy. Now Mr. Gomme, just by the way, in treating of "Folk-lore as an Historical Science"* takes his chance to unload on these Firbolgs and their kindred throughout the British Isles not only all the qualities that he would be loath to attribute to the Celtic peoples whom he loves so well, but actually all the savagery and barbarism, the totemism, human sacrifice, marriage too free and too near, cannibalism, all the shocking and cruel practices in sober England of which records or traces remain in the ancient writers, in stones and barrows, and in lingering tales and superstitions. So, having cleared the skirts of our Celtic and Teutonic ancestors from every blame and heaped it all on the unaccounted-for race whom they displaced, he hopes that we shall accept more willingly his main contention: that precisely where history must stop in its backward quest, we can follow the guidance of folk-lore into that darkling world which heretofore we have called prehistoric and left a *terra incognita.* He makes out a good case, and incidentally proposes some valuable definitions and marks some important distinctions. He blows up, on his way, a few derelicts and belabors a few fetishes. Surely in the case of Max Müller's solar myth this is thrice slaying the slain. Is he not, on the other hand, it might be asked, just a little too respectful to Professor Frazer's mania for bringing back everything to "the kindly fruits of the earth"? The eminence and excellence of the author of "The Golden Bough" are a warrant—are, in truth, a responsibility laid on his admirers—to jog his elbow

* "Folk-lore as an Historical Science." By George Laurence Gomme. London: Methuen & Co.

when he goes off mooning. Mr. Gomme does indeed protest, albeit softly. He has cleared up a good deal of debatable ground, and done knight's choice for the anthropologist not only in criticism both destructive and constructive, but also in setting out his own opinions so exactly and yet completely that they are fit for challenge or support by the next comer. Besides all this he has supplied a winning introduction into the lore that he loves for the general reader and the amateur, for whom surely this shelf of "Antiquary's Books" was primarily devised, in all their ruddy gallantry of press-work and binding, gentlemen's books in the good old sense of the word, and has opened at least a glimpse into his enchanting store of "antique fables and fairy toys."

MEDIÆVAL REPRINTS.

To those interested in the revival of saintly lore and the mystical religion of the centuries stretching from the tenth to the fifteenth, the subject is at once so absorbing and so illuminating as to need nothing further than an indication of what reprints are procurable. Mathilda of Magdeburg, a nun of the thirteenth century, has left a valuable and poetic document* consisting of three books: "The Book of the Return Inward," "The Book of Vision," "The Book of Blessedness." The first is aphoristic and proverbial in form; she opens with the main tenet of the mystic doctrine: "This is a book of love and in love shall it be completed; for nothing is so wise, or so holy, or so strong, or so beautiful, or so perfect as love." The second book of the Kingdom of Heaven, the nine choirs, the thrones of the apostles, the Virgin and Christ, and the rewards of preachers, martyrs and virgins, and the doctrine of unbaptized children has in it more of temporal error and less of divine truth, while Book III, in the form of dialogues between Love and the Soul, between the Soul and the senses, etc., despite its quaintnesses, holds much that is of great and lasting value. The mode of speech is at times to modern ears irreverently amorous and anthropomorphic, but none the less is there beneath its local and temporal form, indeed, a flowing light from the Divine.

* "*Das Fliessende Licht der Gottheit.*" By Mechthild von Magdeburg. Verlag, Berlin: Œsterheld & Co., 1907.

In Inge's "Christian Mysticism" (1899) he refers to a manuscript sent him by Miss G. H. Warrack, which she had copied from the manuscript in the British Museum, from which he prepared his able summary of the conclusions of this most cheerful and lovable anchoress. The absence of all unpleasant and irreverent intimacy with the heavenly hosts is one of the distinguishing and agreeable qualities in the Lady Juliana's book,* and most remarkable is it that without book knowledge or learning of any sort she was led by the contemplative life to the same conclusions reached by the most profound and philosophic of the mystics. She deals lucidly with a theory of dual personality and forebodes Pascal's "Hadst thou not had me, thou wouldst not seek me," when she says: "Our Lord said to me: *I* am the ground of thy beseeching; first it is my will that thou have it and then I make thee to wish for it and then I make thee to beseech it." Again the immortality of the soul presupposing its prenatal as well as postnatal existence, so insistent a point in modern poetry, was one of this untaught woman's conclusions; her vain search for a hell (although she carefully says "in all things I believe as the Holy Church believeth, preacheth and teacheth"), for God showed her none other than saved souls, her sense of the solidarity of the race, "for in this oneness standeth the life of all mankind," her robust and cheerful Christianity makes the document a valuable and delightfully readable addition to the literature of mystical philosophy.

These quatrains† from Johannes Scheffler, better known as Angelus Silesius, have filtered through English hymnology under many and various forms without attribution to their original source. It is, therefore, a valuable contribution to mystical literature to have even this small selection from the "*Cherubinischer Wandersmann*" given us, with the English translation and the German text on the same page. Some of the finest quatrains from the original are omitted and the translations are far from being poetic. There are times, too, when in an at-

* "Revelations of Divine Love by Juliana, Anchoress at Norwich, 1373." A version from the manuscript in the British Museum edited by Grace Warrack; third edition. London: Methuen & Co., 1909.

† "Angelus Silesius." A selection from the rhymes of a German mystic. Translated in original metre by Paul Carus. Chicago: Open Court Publishing Company, 1909.

tempt to be accurate they really cease to be interpretative, but the little book is none the less useful to those who would not undertake to select for themselves from the ponderous German original. A translation of the entire book would be invaluable to students, and we trust that the Open Court Publishing Company may see its way to publishing one later.

For the exquisite make-up of these little books in the "Mediæval Library" the book-lover cannot be too grateful. He may almost, for a moment, have the illusion of holding in his hand an original sixteenth-century manual of devotion. The worn-looking leather binding with impressed picture, the quaint brass clasps, the facsimiles of the original woodcuts, all lend added charm to this delightful record of the conversion, penitence, temptation and Divine Consolations of the blessed Angela.* Like many a saint, the blessed Angela was led through sin to consciousness. She entered on the life of penance after her first youth was spent in the neighborhood of the church of the Friars Minor, at Foligno, and remained there till her death in 1309. Her "visions" were of an exceptionally intellectual type resulting in a fine conviction of the profit of tribulation, in self-knowledge and sense of proportionate values.

Identical in binding and make-up with the foregoing Divine Consolations the legend of this charming and sinless child† is most exquisitely done into English here, retaining much of the quaintness and charm of the *Trecento* Italian. Such sentences as "Salanduccio had an habitual infirmity in his body which waxed parlous great," and "wherefore such as like unto her live this sorry life, they shall straightway walk into the angelic state" cannot but help to translate us into the elder day, the more childlike faith. The original Italian Leggenda is bound up with the translation; the notes are valuable and learned, and the introduction gives us a mind steeped in mystical lore.

* "The Book of Divine Consolation of the Blessed Angela of Foligno." Translated from the Italian by Mary G. Steedmann. New York: Duffield & Co., 1909.

† "The Legend of the Holy Fina, Virgin of San Gemignaro." Translated from the *Trecento* Italian of Fra Giovanni di Cappo, with introduction and notes by M. Mansfield. New York: Duffield & Co., 1908.

FICTION.

Full of the sweetness, beauty and wisdom we are accustomed to finding in this Dutch writer, this story* of a great genius, a great man and a self-sacrificing woman is a fine book marred only by the conventions of novel-making and the author's incomplete command of English. It might be reviewed in a half-dozen different ways: as a conventionally wrought novel injured by too much incident; as a book of wisdom and aphorism and full of such thoughts as flow from the infinite into the hushed and listening spirit; thoughts such as: "Emptiness more than anything can fill to bursting these hearts of ours." "There is one thing stronger than all our plans for life and this is life itself." "Every human nature is limited. Whatever the poets may say, no two natures close on each other like the two halves of a shell. All we can do is to extend the laps." "A prison may also be a refuge." It might be used as an example to show that the most beautiful thoughts, the most vital incidents, are lost unless their creator manages to clothe them in beautiful form. For in this limited world it is concrete form and form alone that endows with lasting vitality and length of days. The world is full of shifting events, stories, plots, characters and authors who perceive them, but one in a thousand can gather them together and mould them into perfect form. Maarten Maartens has here every element of a great book except the mastery of language.

Mr. Arnold Bennett arrived at the goal all too soon and is now famous and, if the papers tell us truly, is being rapidly spoiled. He is reported as writing plays, novels, series of essays and heaven knows what else for a half-dozen publishers, and "The Glimpse"† may be the last great book a great writer will be able to finish in a leisurely and adequate manner. To a psychological and visionary theme he here applies once more his exact and keen method. It is a novel as utterly different in kind from "Old Wives' Tales" as anything could be, but it is as accurate, as true, as exact, a summary of experience. Instead of being the experiences of three commonplace, hard-working, old

* "The Price of Lis Doris." By Maarten Maartens. New York: D. Appleton & Co., 1909.

† "The Glimpse." By Arnold Bennett. New York: D. Appleton & Co., 1909.

ladies, it is the sick and visionary experience in trance of a highly wrought, nervous dilettante. The ordeal of desire and its purgation results in a mastery of the truth of the brotherhood of man and sends the amateur back into the world with a new sense of the solidarity of the race and the interwoven destiny of souls. The book is a lesson in the way wisdom and love avert fatality. It is a very beautiful story, and the speculative part, if a little too much touched by cheap theosophical doctrines, is yet full of suggestion and interest.

To those who have avoided Mr. Quiller-Couch's pot-boilers and known him only through those of his works which have been wrought *con amore* like the "Oxford Book" and "From a Cornish Window," his novels, with their extravagance and improbability and heaped-up adventures, are only redeemed by beautiful paragraphs of description, boats and rivers, sunrises and sunsets, and carefully observed externals of characters. These rescue them from utter banality. We cannot but wonder to what age and class of intelligence Mr. Quiller-Couch fancies he is writing* when he tells the wild adventures of the little circus girl and the orphan-asylum changeling—their escapades in coal-holes and on motors.

What a delight it is to hark back to the greater Victorian tradition! In William de Morgan's new novel,† though there is an almost unfathomably intricate plot turning on the shifting of the deceased wife's sister's bill, there is yet so much fine character-drawing, so much scenery and setting and manners and motives, that we constantly feel as if we had moved back to a contemporary of Thackeray and Dickens and were in a great, well built-up, thoroughly convincing setting of the Victorian era before the last half-century. The side issue of Lizarann and her "Poylot" is a chapter from Dickens, but the whole book is a delightfully constructed, beautifully observed piece out of life. We cannot be too thankful for the length of the book.

* "True Tilda." By Quiller-Couch. New York: Charles Scribner's Sons, 1909.

† "It Never Can Happen Again." By William de Morgan. New York: Henry Holt & Co., 1909.

ESPERANTO NOTES.

MAJOR-GENERAL GEORGE COX

(From the British Esperantist)

"As we could only very briefly announce in our last number, on October 27th passed away our old friend and collaborator, Major-General George Cox, in his seventy-first year. We cannot express with what sorrow and regret we heard the sad and unexpected news of his death. For some months past he had not been in good health, though in his frequent letters to us he always made light of it, continuing to work for our cause to the very last. Only on October 23rd the writer received a letter from him expressing his regret that he would not be able to help us for some time, owing to the necessity of undergoing an immediate operation; that, in fact, was the first intimation that we had of the seriousness of his illness. On October 11th he had visited us at the B. E. A. offices, and little did we think then that it was the last time we should see his genial face among us. He had just returned from Scotland, and, as usual, made us one of his earliest visits in order to get the latest information as to the progress of that *kara lingvo* to which he had devoted so much of his time and labor during the past few years. He spoke so little of himself and of his work that but few knew how deep was his interest in Esperanto, how constantly it was in his thoughts, and how generously he helped the cause in Great Britain with both money and personal service. All of us, of course, know and highly appreciate the service he rendered by the writing of his 'Grammar and Commentary on the Esperanto Language' in July, 1906; but few are aware that the whole cost of publication was also borne by him, and that at a time when the prospects of Esperanto were by no means so bright as they are at present.

"General Cox became an Esperantist in 1905, and in the middle of 1906 joined the Editorial Committee of our gazette, writing under the initials 'G. C.'; reference to the files of the journal will show how large a part he took in the work upon it. In 1907 he was elected one of the Vice-Presidents of our Association, being re-elected in 1908 and 1909. In addition to his work on 'The British Esperantist,' General Cox was much interested in the translation of the Bible and had himself

translated several books of the New Testament; for the International Science Association in Geneva he drew up and translated lists of military terms and also rendered into Esperanto three of the tales from the 'Arabian Nights.' He took part in the Geneva and Cambridge Congresses.

"His belief in Esperanto and in the great benefits that it will bring to mankind was strong and unwavering; and though he did not often take part in person in public propaganda efforts, privately on every possible occasion he neglected no opportunity of spreading the knowledge of our language. By his death our cause has indeed lost one of its most earnest, loyal and devoted workers, and those who had the honor of knowing him personally, lose in him one of the kindest and most sympathetic of friends.

"The following particulars concerning his military career will certainly be of interest to our readers:

"Major-General Cox, late Royal Irish Fusiliers, was born in 1838. Educated at Repton School and Trinity College, Cambridge, he took his B.A. degree in 1860. At Cambridge he took up rowing, won the Sculls at Derby in 1858 and the Macnaughten Sculls, Cambridge, in 1859. Rowed in First Trinity boat as 'Head of the river' in 1858, and in crew of same boat which won the 'Challenge Stewards' Cup,' 'Ladies' Plate' and 'Visitors' Cup' in 1859 at Henley.

"He joined the 87th Royal Irish Fusiliers in 1861. Was A.D.C. to General (afterward Field-Marshal) Sir Patrick Grant, Governor of Malta, in 1868 to 1872. Served in the Egyptian campaign in 1882 and was promoted Brevet Colonel for his services, receiving the Medal and Khedive's Star. He was afterward Assistant Adjutant-General for Recruiting at Headquarters, War Office, from which post he was appointed to command of troops in Natal and Zululand in 1895. On the death of General Sir W. Goodenough in 1898 he was ordered to Cape Town to command all troops in South Africa, and on departure of Sir A. Milner for England General Cox was appointed Acting High Commissioner and Governor of Cape Town until arrival of General Sir W. Butler."

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RECENT IMPROVEMENTS IN THE ADMINISTRATION OF THE NAVY.

BY A NAVAL CRITIC.

In the development of the present day, improvements in the organization of all activities have become necessary for success. In making changes in fields of business effort the United States has taken the lead. The results accomplished have attracted attention everywhere, and foreign commissions have come to this country for the purpose of ascertaining, by direct inquiry and examination, the manner of organization and methods by which American manufacturers and railway managers carry on business.

Government organizations to be efficient must also take heed of the necessary changes due to the introduction of new machinery, new forms of output and new methods of business in private industries. A Government industry usually lags behind those supported by private capital. It is not dependent for success or existence upon profits. It does not go into bankruptcy because it fails to satisfy the consumer of its product. It is supported by an appropriation of public funds and is surrounded by traditions, established habits and prejudices which are difficult to set aside. The public looks on with a certain indifference at the arguments

NOTE.—This paper represents the views of the present head of the Navy Department as expressed in his annual report.—EDITOR.

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which accompany any proposed change and is likely to regard them either as academic or as having a foundation of prejudice.

The Navy, unlike an industrial establishment, renders no financial return on the money invested in it, but the profit accruing to the stockholders, the people of the United States, must be measured in terms of its preparedness for war and its success in battle. Congress, as the Board of Directors, votes the money for its maintenance and increase, and has the right to demand from the executive officials charged with the expenditure of the funds that not a dollar be wasted and that for each dollar expended an adequate return in efficiency be rendered. If these demands are met, the people of the country do not hesitate to authorize large sums for the naval establishment.

Sound organization is the only possible basis for wise, efficient and economical administration. System saves money; indirection and confusion waste it; both expend money, but in the one case an adequate return may be expected, while in the other such adequate return cannot be secured.

The natural divisions of naval administration are: The building of a fleet and the providing of its necessary bases or navy-yards, which are adjuncts of the fleet for the purpose of maintaining its efficiency; the manning of the fleet; the inspection of the fleet for the purpose of ascertaining at all times its condition; the employment of the fleet.

The Department of the Navy, as a separate unit in the executive branch of the Federal Government, has existed since 1798, when Congress created it by legislation; previous to that date the affairs of the infant Navy were managed under the War Department.

In 1815 Congress authorized the appointment of three Commissioners, who should be naval officers not lower in rank than post captains; these Commissioners were attached to the office of the Secretary.

In 1842, as the result of the recommendation of two or more Secretaries, Congress reorganized the department by dividing the civil duties of the Board of Commissioners among the chiefs of five bureaus, but making no provision for military control otherwise than by ignoring it, thus placing it in the hands of the Secretary himself. The plan as adopted by Congress coincided with a plan proposed by Commodore Charles Stewart with the

single exception that Congress eliminated the bureau proposed by Stewart to control the personnel and *employment of the fleet.*

At no time has initial authority been granted to any person or persons other than the Secretary, who, in administering the affairs of his department, is the agent of the President of the United States. Congress, while exercising its constitutional right to provide and maintain a navy, and while prescribing, from time to time, rules for the conduct of the department, has, with few exceptions, left all questions of administration in the hands of the executive branch of the Government and has conferred on the Secretary of the Navy all administrative authority in the department.

All the business of the department has been carried on either by the Secretary or by the eight bureaus now provided. The bureaus are independent of each other, subordinate only to the Secretary, who must, presumably, decide all points of dispute among them.* Differences of opinion must frequently arise, and as these frequently involve matters of a highly technical nature and questions of military policy, the Secretary is seldom able to reach a decision without information and advice from naval officers or other persons having the necessary military and technical knowledge. Under the recent organization of the department no such closely available advisers and counsellors were provided for the Secretary, and he, presumably, sought advice from individuals in whom he had confidence or made decisions without impartial advice. Under such a system there is no assurance of continuity of policy, even though the Secretary may choose temporary advisers with sagacity.

In the business world advice must be paid for. It is not given unreflectingly. When it turns out ill it reacts on the adviser in his business and reputation. Here, then, is the principle of responsible advice. It reacts on the adviser. If good, it adds to his reputation and professional standing; if bad, it detracts in a corresponding measure.

It would appear on the surface that the requirements of responsible advice were met by the bureau organization, but events have proved, in fact, that the bureau chiefs are so absorbed in the

* By law the chiefs of bureaus can issue orders without the knowledge of the Secretary, and these orders have the same force and effect as if issued by the Secretary himself.

details of their bureaus that they have not sufficient time to give to matters outside of them. They are naturally partisans of or apologists for their own bureaus, and are of little assistance in enabling the Secretary to reach a conclusion on matters which involve two or more bureaus or the interest of the service as a whole.

From 1842 until the Civil War period no substantial changes of organization were made. When the outbreak of that war made it apparent that the existing organization, while serving well enough for the construction, arming, and equipping of a fleet, afforded no means for intelligent direction of that fleet, Congress immediately authorized the appointment of an Assistant Secretary as responsible adviser to the Secretary in matters relating to the operation and employment of the fleet. The man for whom the position was created was Mr. Fox, a former naval officer.

The recent changes in the organization and methods of the Navy Department—in the business of its central or directing office at Washington and in that of its navy-yards, its outfitting and supply establishments—are supported by a clearly demonstrated necessity and purpose. Up to the time of the changes introduced by ex-Secretary Newberry, nearly a year ago, the organization of the department and of its navy-yards had not been materially changed in sixty-seven years—that is, since the establishment of the bureau system in 1842.

Secretary Meyer, on taking office, was confronted with the difficulties and perplexities of a newly established system which, though being carried out in a military spirit of loyalty and obedience, did not commend itself to the greater number of naval officers. Mr. Meyer first convened a board of officers, known as the Sperry Board, to consider and report how the various conflicting orders and regulations in force could be reconciled so that the plan of a navy-yard organization introduced by Mr. Newberry could have a fair trial and be systematically carried out, and what changes from this general plan of departmental and navy-yard organization should be made for the best interests of the Navy. This board was composed of bureau chiefs, flag officers afloat and other officers of technical and administrative attainments. The approval by the Secretary of that portion of the report which was unanimous and the promulgation of consequent changes in the regulations improved conditions somewhat.

The next step taken by Mr. Meyer was to appoint a second board, known as the Leutze Board, to which he referred for consideration and recommendation the question of the proper status of the Bureau of Steam Engineering and the methods of carrying on the work of that bureau at navy-yards, a point upon which the Sperry Board had not been unanimous.

The approval of the report of this board and the promulgation of orders putting its recommendations into effect, while not materially affecting the consolidation feature of the Newberry plan, restored to the machinery experts of the Navy the control of machinery work, which, by Mr. Newberry's orders, had been intrusted to the corps of hull designers and builders.

Mr. Meyer having thus, within a short time, but after mature study of questions at issue, effected important changes in the details of navy-yard organization, while preserving the best features of the system established by Mr. Newberry, next turned his attention to the broad question of department organization.

To assist and advise the Secretary in this matter the Swift Board was convened. This board consisted of officers of the military branch exclusively, and in selecting the members the Secretary chose no chiefs of bureaus nor officers prominently identified with any of the bureaus. Since the Sperry Board had been a board on which every bureau had a representative, it was deemed proper that the Swift Board should be a military board, one which should consider the questions involved from the viewpoint of the military efficiency of the fleet for which the Navy Department exists.

The four divisions into which Mr. Meyer has grouped the varied duties of the Navy Department are: 1. Division of Operations of the Fleet; 2. Division of Personnel; 3. Division of Material; 4. Division of Inspections.

These divisions are simply logical groups of duties and have no heads other than the Secretary himself, but four officers of the military branch are detailed as aids to the Secretary and each of these is an adviser to the Secretary in matters under the cognizance of one of the divisions.

The aid for each division will keep him informed as to the state of that division and when called upon give him advice and suggestions in relation thereto.

The aids detailed are all officers of high rank, long experience

and capacity, and unhampered by details and with time for the consideration of important questions they will fill a vacant place in the departmental organization and supply an urgent need.

The Division of Operations is a part of the Secretary's office and, as its name indicates, deals primarily with the operations of ships in commission, and of the strategic employment of all naval forces. The scope of its duties is, however, broader than this, including advisory duties in matters of naval policy, building programmes and military features of ship design. This division does not replace the General Board, but will act in close co-operation with it, the Aid for Operations being a member of that board.

This division, which has hitherto been lacking in the organization of the department, closely resembles the operating department of a railroad, the department which runs trains, handles passengers and freight and conducts the activities of the completed road.

The matter of ship design receives full consideration in the new plan. The Division of Operations, which includes the General Board, originates the military features. These are then referred to the technical bureaus for sketch plans, calculations and comments. If on account of technical considerations the desired military features cannot be fully assured, the plans must be modified until as much as may be possible of the desired military features are secured. The whole subject then goes before the General Board for discussion. During this period the board is assisted by officers, temporarily ordered for the purpose, who are deemed specially qualified to criticise the military effect of technical features in the new type of vessel under consideration. They will include officers who have obtained successful results in ordnance, engineering, or turret gun-work or in service with torpedo vessels. The final features once determined and approved by the Secretary, the duty of preparing and the responsibility for the final plans devolve upon the Bureau of Construction and Repair, as is now the case. In this manner advantage is taken of the special, technical and expert knowledge of all officers competent to express an opinion on the military and technical features of war-ship design.

The Division of Personnel comprises the bureaus of Navigation and Medicine and Surgery, the Judge-Advocate-General and

the Examining and Retiring Boards—in short, the bureaus and branches dealing with the personnel of the fleet; and the Division of Material comprises the bureaus dealing with the construction, repair, equipment, fitting out and supply of the fleet, namely, those of Equipment, Ordnance, Steam Engineering, Construction and Repair, and Supplies and Accounts.

One of the features of this grouping is that it classifies distinctly the questions that may arise for the Secretary's decision. That is, such questions will in general relate exclusively to material, exclusively to personnel or exclusively to naval policy—that is, the handling of the fleet. In the old organization there was, for instance, no single adviser in matters affecting materials. The Secretary could go to the chiefs of the material bureaus, but if they differed among themselves there was no other authorized source of advice provided.

The Division of Inspections is intended to make applicable to the whole naval service the principles now exemplified in the Board of Inspection and Survey for ships. It will inspect all parts of the service ashore and afloat at stated intervals, reporting directly to the Secretary. Reports of defects and recommendations for changes will usually be referred to this division. The ordinary course at present is for them to go to the bureau responsible for the matter criticised, not a correct principle.

In a commercial business the inspection of the finished product is efficiently carried out by the customer, but the Navy has no customer. In time of war victory over the enemy is the aim, and if this be attained the Navy may be assumed to have been efficient to the degree required for success in the particular instance; but in times of peace the preparedness of the fleet must be determined by inspection and tests carried out by persons of the necessary technical knowledge, who have no other interest for the time being than to ascertain and report to the Secretary the true state of the Navy.

The Division of Inspections comprises all boards and individuals performing inspection duties (not, however, including acceptance inspection of purchased articles); and it is contemplated that these duties will be more considerable in extent than heretofore, the system of large commercial organizations being taken as a model. Besides the Board of Inspection for ships that has heretofore existed, a similar board of three members is created

for the inspection of navy-yards and stations. All boards and officers on inspection duty will be free from administrative duties, and thus in no sense responsible for conditions upon which they are required to comment; and the results of inspection will be brought to the Secretary direct.

An accounting system which is wholly independent of the manufacturing departments at navy-yards will be established. Such a system is already established at the Boston Navy-Yard, after having undergone a successful trial there in recent months, and steps have already been taken to extend it to other yards. Hitherto all cost-keeping at navy-yards has been done by the working departments. This system is essentially wrong in principle and is contrary to modern commercial practice. The transfer of this work to an independent department must bring many beneficial results, not the least of which will be absolute uniformity of methods with a consequent reliability of results. Among the other beneficial results an important one is the facility with which managers and inspectors can follow the cost of work from day to day, thus determining how closely estimates are being realized, discovering where excessive overhead charges may be cut, informing themselves as to the comparative efficiency of different shops and machines, estimating time and cost to complete partially finished jobs, and guarding against the possibility of extending the allotment of funds for jobs or for periods of time.

The essential feature of the Newberry plan at navy-yards was consolidation, which has proved in the main successful. Consolidation, as far as permissible, must be a feature of any acceptable organization.

Consolidation, however, is an adjunct to business efficiency and not a controlling object; that is, consolidation should be carried to the point of its greatest effectiveness, but should not be carried for its own sake to the point where confusion and lack of efficiency may result. It is necessary to keep this point in view. Consolidation is an instrument, not a purpose; a means, not an end. The Newberry scheme consolidated everything, placing all the navy-yard activities under one technical head. The result was found to be lacking in some important requirements of efficiency, and the purpose of Secretary Meyer is, while retaining the valuable features of consolidation, to limit its application to that point at which its greatest efficiency is attained.

A navy-yard is not wholly or even principally a manufacturing establishment. Its essential feature is that of a repair, outfitting and supply station for vessels of the fleet. It exists for the purpose and maintenance in good condition of the cruising fleet and only in a much less degree for the production of additions to the fleet. It has also a military character which must be taken into account. This dual condition must be considered in determining the necessary differences between its administration and that of a private manufacturing establishment. The latter turns out a practically uniform product from month to month and from year to year by methods which have been found by experience to be the most efficient; the former, on its civil side, executes such repairs, provides such equipment, partly manufactured in the yard and partly obtained from contractors, and provides such supply of coal, stores, provisions and fuel as may be demanded from time to time by the cruising fleet. Sometimes its activities are forced to their utmost capacity, sometimes they are substantially relaxed. Moreover, those activities relating to the efficient maintenance of the active fleet demand the constant supervision of the men who have, from their experience at sea, intimate personal knowledge of the necessities of the fleet—that is, the officers of the Navy who are assigned to duty as commandants and principal subordinate officials of navy-yards.

At the navy-yards the single manufacturing department recently called into existence is divided into two divisions—one of machinery and one of hull; thus, according with the almost universal practice in similar organizations, both public and private. The advantages of consolidation are thus carried to the greatest limit which is deemed practicable with advantage. All the shops of the same kind are placed under the control of one skilled officer, and as far as practicable all work of a common nature is concentrated. The consolidation of manufacturing features aimed at in the plan of former Secretary Newberry is not sacrificed, but, on the contrary, the principle is extended; the change merely lies in grouping shops for purposes of control in such a manner as to obtain the best expert knowledge of their direction. This is a change which the experience of the past year in the navy-yards leads careful observers to believe will result in a more effective, efficient and logical consolidation than was possible under the recent plan.

The commandant* is made the actual manager of the navy-yard and the sole representative at the navy-yard of the Navy Department, its bureaus and offices. To him the Secretary, Assistant Secretary and bureau chiefs transmit all orders relating to military, civil or industrial features of his command. All orders to his subordinates emanate from or pass through him. He is provided with advisers and assistants in the persons of his executive, the heads of the hull and machinery departments and the several inspectors, and through them controls all the business of the yard.

The essential changes introduced by Mr. Meyer into the organization and administration of the Navy Department and navy-yards may be summarized as follows:

1. The provision of four responsible advisers; responsible in the sense that it is their duty to advise him on subjects within the scope of the division of duties with which they must become familiar.

2. The grouping of the bureaus into two divisions of personnel and material, according to the correlated nature of their duties.

3. The provision of an aid, who is charged with final preparation of plans and orders by which the fleet is managed and directed, the Secretary to personally give the necessary orders.

4. The establishment of a permanent and comprehensive inspection system of shifting personnel but permanent organization, reporting direct to the Secretary.

5. The establishment of a uniform system of cost-accounting at all navy-yards, separated entirely from the manufacturing and repair departments which do the work.

6. The separation of navy-yard work into two natural divisions of hull and machinery, with the commandant as the head of both divisions.

Secretary Meyer has thus, without appeal to Congress, and without taking from the bureaus any of the duties, powers or responsibilities imposed or granted by law, so grouped the Navy Department duties that he can control them personally, with the aid of *responsible* advisers who are not in any way concerned in or responsible for any of the supply features of the department's business.

A Naval Critic.

* Who is selected on account of his qualifications and so that he will have a sufficiently long term of office.

MR. NEWBERRY'S NAVAL REFORMS.

BY REAR-ADMIRAL CASPAR F. GOODRICH, U.S.N.

I.

THAT the Navy has made great advances within the past few years is of common knowledge; in what respects these advances are most important is less well known. A brief statement seems therefore proper and timely of the steps taken by the recent administration to make the naval organization more efficient and more economical. It is improper, as well as forbidden by regulations, to speak of what has happened since March 4th of this year, even in terms of praise. The purpose of this article is purely historical; with current developments it has no concern, however gratifying and encouraging they may be.

The recent increase both in the number and the individual power of our battleships is so notable as to appear almost phenomenal. On January 1st, 1905, the navy list contained twelve battleships and two armored cruisers completed; the heaviest of the former displacing 12,500 tons.* On January 1st, 1909, there were twenty-five completed battleships and ten new armored cruisers. The latest battleships had reached 16,000 tons displacement and the two original armored cruisers had been disrated to "cruisers, first class." It would not be unfair to hold that the fighting value of the American fleet had meanwhile tripled. The growth in size of the "capital ship" during this interim is shown in the statement, from the same source, that of the six "under construction," the last are designed to displace 21,825 tons. While a continuous expansion under this head might have been normally expected, this sudden leap is probably due to the necessity of producing vessels to meet those

* Displacement is the total weight of the ship and everything on board.

of the famous British "Dreadnought" type on favorable terms. It may be mentioned, incidentally, that our own smaller ships, the "Michigan" and "South Carolina" of 16,000 tons, are very highly considered by many experts who see in them a happy combination of battery, armor, speed and habitability and who believe that they need ask no odds from even the "Dreadnought" herself. Since 1904 no armored cruisers have been authorized by Congress. This class seems to have fallen into general disfavor. It is practically as costly in construction and maintenance as the battleship. Its sole superiority, that of speed, is not thought to compensate for its lack of power to give and take heavy punishment.

The concentration of effort upon strengthening our "first line of defence" by turning out battleships to the comparative exclusion of other rates must commend itself to all who realize the advantage of abundant force when and where needed, and the impossibility, on the outbreak of war, of making good any deficiency in armored craft. Other forms, such as torpedo-destroyers and submarines, have not been neglected, but it has been deemed better to give them a minor share in our ship-building programme. It would be difficult to impeach the wisdom of this policy.

That some of our later additions to the unarmored fleets bring an inadequate return for the money expended may possibly be contended by some authorities; with how much justice or error, this paper, not being controversial in character, will not pretend to say. Neither will it discuss the value of certain types which, unlike the battleship, have not commanded universal acceptance. Naval science is no more free from sects than is medical science. Were it dead or moribund, there would be no opposing schools of thought.

In the matter of batteries, torpedoes, powder and projectiles, the progress has been steady if not theatrical. No startling innovations are to be chronicled, but a constant improvement along all lines. The questions relating to the pointing of the guns have received much attention. It is a subject of pride that certain of our mechanical appliances to that end have been adopted (for experiment) by foreign navies. No one who knows their value can doubt that this adoption will be permanent—until some ingenious Yankee devises something better. Every navy to-day

uses telescopes in bringing the sights on the target and therein does honor to our own Captain Fiske, U.S.N., the first to urge the use of this now indispensable instrument. The handling of ammunition has been facilitated and the necessary apparatus made stronger and simpler. The ordnance authorities, in conjunction with the ship-designers and aided by the counsels of officers afloat, have made creditable headway in overcoming the dangers that have caused the history of our turrets to be the saddest in all naval annals. These authorities foresee, it is understood, a demand for heavier guns than the present standard twelve-inch and are making provision to supply that demand when it shall arise. In the race for naval preponderance, it is well to keep in the lead. In this respect, the traditions of our own service will be observed, for it has always contended for heavier weapons than those carried by its possible antagonists.

In the question of types and the general features of battleships, Mr. Newberry's recomposition of the Board of Construction, when he was Secretary of the Navy, gave the sea-going officers so large a majority that their complaint that they were quite ignored was no longer valid. No one can deny the desirability of furnishing the workman with the tools he believes essential to his craft. Whether in the past this obligation received insufficient recognition need not be discussed here. Suffice it to say that Mr. Newberry's order ought to yield results satisfactory to those who have to navigate and fight our men-of-war and who alone, in the public eye, are responsible for the nation's safety.

One episode may be referred to in this connection out of which much good has already come. The conference held at Newport a year ago on the plans of our new vessels brought together many officers of all grades and corps who, after interchanging their views with perfect freedom, reached a consensus of opinion and of recommendation that must inevitably bear excellent fruit. Never before had members of the naval service so untrammelled an opportunity of hearing all sides of any relevant topic, of weighing their own propositions against honest and intelligent adverse argument and thus of receding from or being strengthened in their own positions. The report of this conference is, very properly, kept confidential, for it deals with important subjects for our own enlightenment and not for that of our neighbors,

but that the move was well advised the event has shown conclusively.

It is not so much in the tangible evidences of growth as illustrated in more and larger ships, the adoption of turbines as the propelling agency and in a more numerous personnel that the work of the last administration is to be perceived by the painstaking investigator as in the changes brought about in a desire to place the Navy's business methods on the highest plane of efficiency. The theme is not of that soul-compelling interest afforded by new armored vessels and a world-encircling cruise, but the thoughtful patriot willing to make any necessary sacrifice in order to build and maintain a powerful fleet, yet solicitous lest regard be not had for wise and remunerative expenditure of public funds, will doubtless welcome an account of what was done to introduce approved methods with their consequent enhanced rapidity of communication, economy of production, lessened red tape and lower prices paid for naval supplies. It is only because this particular phase is less evident and little known that especial emphasis is laid upon it here—with the candid admission that, in other matters, equally laudable and more obvious progress has been effected.

To appreciate rightly what has been accomplished, a general understanding of the situation is essential. The business of the Navy Department is by law "distributed in such manner as the Secretary of the Navy shall judge to be expedient and proper among the following bureaus: viz., Yards and Docks, Equipment, Navigation, Ordnance, Construction and Repair, Steam Engineering, Supplies and Accounts, Medicine and Surgery." The legal services required in the ordinary routine of discipline and of affairs are rendered by a Judge-Advocate-General and a Solicitor. In these offices and officers the statute has provided the Secretary with the necessary machinery for discharging his onerous and important duties. For advice on the numberless questions of naval policy, the use of the fleet and such other matters as he may refer to it, the Secretary looks to the General Board, composed of thoughtful and approved officers and presided over at present, and it is hoped for many years to come, by the Admiral of the Navy, George Dewey.

The bureaus of the Navy Department have been, in the past, the target of much criticism; yet it would seem as if some legal-

ized instrumentalities must exist for carrying on the department's work, and that if they were abolished to-day a substitute, practically the same thing under another name, would have to be created to-morrow. The bureaus have, of course, the defects of their qualities. Their chiefs, selected from eligible officers of the Navy, are appointed by the President and confirmed by the Senate. They stand, as they should stand, towards the Secretary of the Navy as duly authorized and competent counsellors. Moreover, they are zealous, ambitious and, as a rule, able, but, being also human, they are apt to regard their own branch of the Navy as more important than any other branch. Can we blame them altogether if to their eyes the whole seems sometimes less than their own part? It is easy to comprehend that, living in daily close personal and official relations with the Secretary, who is usually lacking in experience in service matters, when first assuming his portfolio, a clever and persuasive bureau chief might, with the best and purest of motives, induce his superior to adopt a line of action which would not be to the interest of the Navy as a whole. The bureau chief is not culpable in urging views which he believes conscientiously to be wise, prudent and advanced; neither is the Secretary for lending credence to an officer who commands his respect and confidence. Every general manager finds himself in a similar case. That of a big steel plant is importuned for heavier rolls in the rail-mill or more furnace men or new spurs in the yard railway, or a recently patented crane or an increase in the clerical force, etc. He must weigh these several demands, giving here a little, there much. At some points he concedes not at all or directs a reduction. Fortunately for him, he has risen to his position of authority, climbing the steel-making ladder slowly but surely, never skipping a rung and always secure of his footing before reaching up for another step. When he gets to the top, he knows his ladder perfectly, its weak points and its strong. It would be idle to attempt to deceive him. The new Secretary of the Navy, on the other hand, brings to his task marked ability and a national reputation, but—a more or less complete ignorance of the details of the complex organization placed in his charge. That changes in naval methods were so slight during the recent administration may be explained by the natural assumption that the many and brief-termed Secretaries were reluctant to go ahead until more thoroughly acquainted with

the various sides of each proposed measure. They might, quite naturally, have feared the ultimate consequences of deciding some apparently trivial question—so delicate and so tradition-bound is the naval organism. It is safe to say that nothing is more essential to the Navy's welfare than a more permanent tenure of office on the part of the distinguished and capable gentlemen called to administer its affairs. Continuity in office for several years can alone give a Secretary that intimate knowledge and firm grasp without which he may feel indisposed to take the initiative in radical departures.

For the reasons just given, a rearrangement of the Navy Department, strongly urged by many on grounds which this article cannot discuss with propriety, did not come about. Let us now pass from Washington to the other naval establishments on shore.

The fleet is dependent upon the navy-yards for its repairs, much of its equipment and practically all of its supplies. That the navy-yards fall short of their possible maximum in economy has frequently been alleged and never seriously denied. With the excellence of their product, speaking in general terms, there has been no general dissatisfaction. It has happened, of course, on occasion that certain work has not been done as well as was expected, but the instances are too rare to furnish just cause of sweeping condemnation. It may rightly be assumed that, in the main, the navy-yards have done well that which they have been called upon to do. To the charge of want of economy they must, however, plead "guilty with extenuating circumstances." Industrially, they stand at a hopeless disadvantage when compared with private establishments, for they operate on a rigid statutory eight-hour basis and their employees, after one year's service, are granted fifteen days' leave per annum on full pay. All of these, without exception, enjoy seven holidays with pay during the year; receive full wages for working but half of each Saturday in July, August and September and liberal compensation for time lost on account of injuries. These items would constitute in themselves a determining handicap even if the yards were reduced in number to the few actually required by the naval service. It is estimated that leaves and holidays at the Washington navy-yard increase the expense of running its great gun-shops by nearly $400,000 each year, and also that these leaves involve a general addition of fifteen per cent. to the cost of navy work. Part of

this increase is direct and calculable—the remainder is indirect and therefore can only be estimated. It occurs through the necessity of constantly shifting new men to work in hand or else of stopping the work until the old mechanic can return and take it up again, with the delays incident to lack of continuity, etc. Whether the estimate of fifteen per cent. be correct or too great is of little consequence as far as this writing is concerned. It is enough to point out causes, which are completely inescapable, of the enhanced price of navy-yard output. The Navy altogether disburses one and a half millions of dollars annually for leaves and holidays from which it derives absolutely no benefit. How unjust, therefore, to blame it for the compulsory extravagance due to this item, which alone would bar it from competition with outside concerns.

Referring to the state of affairs, say, in 1907, this is the picture of our principal navy-yards which presented itself to any visitor possessed of an inquiring mind. At each he would have found five essentially complete manufacturing establishments within the one enclosure. In some cases, any one of these establishments could perform all the work of its class required by the entire yard. The visitor would have been rather sure to see five machine-shops, five carpenter-shops, five pattern-shops, five blacksmith-shops, five paint-shops, etc., each with its complement of artisans and its staff of foremen, quartermen and leading-men. He might have found only three foundries, or elctro-plating shops, etc., but he would not have been surprised by the full number of five.

How did this multiplication of facilities arise? The answer is very simple—through the unforeseen expansion of "the bureau system." Originally devised to conduct the business of the Navy Department, every bureau, from small beginnings, gradually developed at each yard a more or less thoroughly equipped industrial plant, buying its own materials, hiring its own operatives and carrying on its own work by itself, for itself and without regard to its neighbors. Did it need a new machine tool, it bought that tool notwithstanding there may have been a dozen such tools lying idle in another bureau's shop across the navy-yard street. These separate and distinct bureau plants at a yard, with their offices, officers and attendant duties, known as "yard departments," were conducted by officers called the "Head of the De-

partment of Ordnance, Yards and Docks, Equipment, Construction or Steam Engineering," as the case might be. While under the military control and subject to the orders of the officer in command of the yard ("the Commandant") these heads of departments were bureau men, selected as such and therefore, most naturally and inevitably, guided by a commendable loyalty to their chiefs in Washington. To expand their own boundaries, multiply their facilities on the ground that they must be ready to grapple with the sudden rush of work inevitable in times of emergency, and to widen the influence and scope of their particular bureau, was not only to be expected, but, in the lack of departmental disapproval, was absolutely praiseworthy. The growth of the bureau idea could easily have been predicted. It followed a law as unchangeable as human nature itself. Let us not condemn the individual for doing his best to perpetuate and enhance the system apparently acceptable to the Navy Department, however much we are tempted to regret the subordination of the Navy as a whole to the interests of its parts. We might even go so far as to say that, while each subdivision of the Navy was ably cared for, there was no person or office charged with the welfare of the entire service. Theoretically, the Secretary himself was so responsible, but practically his deficiency in that intimate acquaintance with its personnel, history and methods prevented his discharging his duty with prudent vigor.* Much as he would have liked to act, the Secretary did not feel sufficiently sure of himself and thus insensibly the power which he might have wielded was not exercised at all or it passed in a measure into the hands of the bureau chiefs. Between these appeared to exist a sort of "gentlemen's agreement." When they were not in accord, appeal was made to their common superior, to whom were also referred such questions as manifestly could not be dealt with by any one bureau chief. In fact, why, legally, should they trouble him except in extreme cases or where their interests conflicted? Does not a statute of the United States distinctly give their order the same weight and authority as that of the Secretary of the Navy? Law and custom were therefore entirely on their side. They could go as far as they thought expedient,

* It is, by the way, in this absence of some authority to speak for the whole Navy that the advocates of a General Staff found their soundest argument when some years ago they urged the creation by law of such a body.

provided they did not traverse his prestige. The result of this state of things was that at times a Secretary would feel as though practically side-tracked. Not through a desire to make a grand lama of him, but purely as the consequence of a steady, imperceptible drift, the Secretary became more and more of a figure-head and less the helmsman of the naval barque. On important subjects he could not be, and, in fact, he was not, ignored, and he could at any time assume control even of details had he so desired. No bureau chief sought designedly to lessen the Secretary's prerogative, but it was so much easier to decide questions assumed to be minor in the bureau than to disturb the Secretary. The latter again, as a rule, received only such professional advice as came from his bureau chiefs who had daily and hourly access to him. The naval service might be practically of one mind on some vital point and yet its voice never reach his ears, provided that voice found no echo in a departmental bureau. It was nobody's business to say to him: "Sir, the Navy thinks so and so. Personally, I do not think so, but it is my duty to inform you that such views are held with substantial unanimity." Since the Navy Regulations are very stringent on the subject of open utterances on current topics by naval officers, the existence of a strong service public opinion might not even be suspected by the Secretary. That recommendations by officers in their official communications would come under his eye might be expected by those who are unaware of the physical impossibility of his reading even the thousandth part of the daily mail addressed to him. Suggestions must be on some given point and not vaguely general. In other words, they must, in the vast majority of cases, enter the domain of some particular bureau. That being the case, the letter containing these would be automatically referred for action to that bureau where it would find a welcome or a pigeonhole. In either event the Secretary was none the wiser. It is, hence, no cause for amazement that this partition of his duties, sanctioned by long usage in the department itself, should have been carried to the navy-yards, there to achieve its perfect fruit. Thus in each navy-yard little *imperii in imperio* grew apace—for who was there to call a halt? If the Naval Constructor wanted to install an electroplating establishment, even though the Equipment Officer had in operation a well-appointed shop of that character, he obtained the consent of the Chief Constructor, bought the ap-

paratus, and went ahead. Probably such matters were seldom presented to a Secretary before Mr. Newberry's time.

The vacancy created in the office of Assistant Secretary of the Navy by the resignation, in 1905, of that excellent, level-headed Vermont lawyer, Judge Darling, was filled by the appointment of Mr. Truman H. Newberry, of Detroit. Mr. Newberry had been an enthusiastic member of the Naval Militia of his State. During the Spanish-American war he held a commission as lieutenant in the Navy, serving as such with credit on board the auxiliary cruiser "Yosemite." These circumstances account for his interest in naval matters. In addition, he brought to his new position deep knowledge of mercantile affairs, wide practical experience as a successful manufacturer, sound judgment and fearlessness of responsibility. His immediate superiors, Mr. Bonaparte and Mr. Metcalf, placed reliance upon his capacity and gave him practically full charge of the navy-yards and their affairs. Their absences from Washington being neither infrequent nor brief, Mr. Newberry was often called upon to occupy the Secretary's chair and therein to decide important service questions. Three years and more he spent in the Navy Department studying its organization, learning the capacities and idiosyncrasies of the officers and others with whom he was brought in contact, diligently performing his duties and gradually acquiring a profound insight into naval administration and a wide acquaintance with naval personnel. In this school he was an apt scholar. What he did not learn was hardly worth the learning. His antecedents led him perforce into desiring to better the methods of carrying on the Navy's work which he quickly recognized as susceptible of marked improvement. Even then, however, he realized the wisdom of going slowly and of taking no step forward until assured that his advance was upon firm ground. In this necessity he experienced the disadvantage of being so situated as to lack, not the general view from the outside of things at the navy-yards, but the presentation of concrete facts from within upon which to base his action. Nor could he, without sacrificing his immediate responsibilities, undertake to discover the special weaknesses inherent in the system. Although secure in his own attitude towards desirable reforms and wholly ready to move to their introduction, he felt for a long time the need of definite information in enough instances to justify to himself the adoption

of remedial measures. Occasionally, of course, the routine correspondence of his office would yield him the proof he required, but many things were happening daily, entirely right, according to law and the Navy Regulations, and, quite naturally, never brought to his attention, which, if submitted to him in their relation to other allied matters, would not have received his approbation. How, for example, was he to know that a bureau proposed to buy $50,000 worth of machinery for installation at a yard where a perfectly adequate plant of similar character already existed, unless some one acquainted with the case and having no interest other than a hope to save a needless expenditure of Government funds should lay the details before him? The bureau seeking to bring its facilities up to its desired maximum of capacity and controlling its own appropriations in which specific provision had been made for this new machinery would never think of turning that balance into the Treasury because another bureau was already equipped for doing all work of that character at the yard in question. The "bureau system" negatived any such view on the part of the former bureau; nor would the latter bureau feel it either discreet or courteous to interfere.

We thus find in the Department an Assistant Secretary, often and for rather prolonged periods actually the real chief, under the title of "Acting Secretary," to whom great powers had been granted, who, by training and temperament, was exceptionally fitted to enforce more economical methods. Is it a cause for surprise that such an energetic official should seek and obtain a means of breaking through the charmed circle of bureaus and get from an outside source the specific statements and recommendations of which he stood in need and which he was prepared to utilize as he deemed best and most expedient? It must not be forgotten, as already stated, that to all intents and purposes Mr. Newberry was, by his chief's command, in particular charge of our navy-yards, and that whatever he did in connection with them, even as Assistant Secretary, was by virtue of the authority so freely conceded to him.

If at this point another figure enters upon the scene and speaks in the first person, it is not to magnify his own share, but to describe, with loyal gratitude to his superior officer for the chance of "doing some good for the republic," the steps he was permitted and encouraged to take in furtherance of Mr. New-

berry's ideas. The writer knows, better than any other person, how impossible it would have been for him to move at all had he not been assured at all times of Mr. Newberry's earnest wish to receive any statement or suggestion which could assist in effecting reforms at our navy-yards. The writer begs that this qualification be understood at every succeeding point of the narrative even when, for brevity's sake, the *ego* is unaccompanied by the phrase "at the Secretary's or Mr. Newberry's desire."

My first move in this matter, after assuming command of the New York navy-yard on the 1st of June, 1907, was to expedite the inspection of supplies delivered by contractors. To this end I directed that the officers assigned to this work should regard it as paramount to all other duty and should within twenty-four hours of delivery inspect all articles whose quality and quantity could be determined by mere examination, accepting or rejecting them *immediately*. Cases involving chemical or physical test were to be put at once in the hands of the Navy's accredited experts and pushed with all speed. Daily reports of every operation were required to be handed in to me. These were carefully and promptly scrutinized. No excuse was ever tolerated for delay in these inspections. Later on changes were introduced in the methods of inspection and in the records of the disposition made of deliveries which still further abbreviated the time between their receipt at the General Store and the payment of the bill. With the suggestion of these changes I was intimately connected, but they required and they secured the Secretary's approval. At the Navy Department the present chief of the bureau of Supplies and Accounts, Paymaster-General E. B. Rogers, U.S.N., not only added his influence in simplifying our procedure, but he obtained permission to eliminate several time-consuming and wholly unnecessary pieces of red tape in connection with public bills. The routine by which supplies are obtained at a yard remains unchanged in essentials. The office requiring the goods makes request on the General Storekeeper, who frames the requisition, a document which explains the necessity and gives the quantities and descriptions of the various articles desired. The requisition goes to the bureau chief, whose appropriation is to bear the charge, is approved by him and sent to the Paymaster-General, who directs how and where the purchase shall be made. The articles are then bought by advertisement or through sealed pro-

posal or, in an emergency, by a purchasing officer (Navy Pay Officer) near the yard concerned. The General Storekeeper, after delivery of the article, prepares the public bill with all its certificates as to appropriation, mode of purchase, quality and quantity, inspection, etc. Formerly, this paper went back over the old ground, was signed by the General Storekeeper, approved by the Commandant and the Paymaster-General, and returned to the Navy Pay Office, which demanded a receipt for the money in advance of the payment. In the mean time, notice of the indebtedness was given to the Treasury Department, which remitted the exact sum to the Navy Pay Office. What a roundabout way to pay for five dollars' worth of brooms! Nowadays the public bill goes direct from the General Storekeeper to the Navy Pay Office and the latter, out of a current fund to his credit in the Subtreasury, pays the amount of the bill at once in a Government check. Where contractors were made to wait three and four weeks for their just dues, they now receive their compensation with practically no delay whatever. It is not an uncommon occurrence for a firm to make delivery and within forty-eight hours obtain its money. No business house could possibly excel this record. The effect of the new departure is felt in countless ways. Manufacturers and dealers who once declined to deal with the Navy because of "red tape" and delay are at last only too anxious to secure so desirable a customer; the great concerns enter into the competition and offer their wares at the lowest possible price; interest on the money involved in the transaction for which of old a liberal allowance had to be made in fixing the rate no longer figures in the computation. Prompt inspection, prompt rejection and prompt payment combine to save the Navy a large sum annually with the obtaining of equally good if not better material. There are those who estimate these economies in hundreds of thousands of dollars.

CASPAR F. GOODRICH.

(To be Concluded.)

THE DECADENCE OF FRANCE.

BY MRS. BELLAMY STORER.

"Thou hast forsaken Me. Thou hast gone backward."—Je.: 15, 6.

THE Constitution of the Republic of the United States rests firmly upon two pillars: Religion and Justice. It declares the existence of God and Law, and our whole Government is based upon it. Balzac said, many years ago, "Religion and Justice, those great pillars, *without which no social order can be upheld,* have grown weaker in France during our nineteenth century—which boasts so loudly of its 'progress' in every direction."

Since Balzac's time much water has run under the bridges of the Seine. The boasts have grown louder, the pillars weaker. I shall begin by describing what are to replace "Religion" and "Justice" in the radical socialist government. Religion is supplanted by the cult of the *"Déesse de la Raison"* and Justice gives place to a socialism which tends toward anarchy.

The history of the "neutral" school dates from the establishment of the *Teaching Power, "La ligue de l'enseignement."* The beginning of this great "reform" wore a liberal and conciliatory aspect. Men like Jules Ferry and Paul Bert were careful to assure the public that the movement was not directed against any religious belief whatever.

The "Ligue" has its humble origin even before 1870. It was founded by an Alsatian schoolmaster, Jean Macé, stimulated by the false but quickly adopted cry, "It was the German schoolmaster who won the battle of Sadowa." This phrase electrified France. For ten years and more, books, pamphlets, speeches in the Chambre and newspaper articles shrieked aloud, "It was the German schoolmaster who won the battle of Sadowa!" All this emotion crystallized itself into a popular conviction, that France could only rise from the ashes of a disastrous war by the

multiplication of her public schools and by a new system of instruction.

The enterprise was *patriotic* in the beginning, and a recently conquered people took it up with ardor. How it was twisted and corrupted is subsequent history. "The Ligue de l'Enseignement" looms large to-day as the most deadly engine ever directed against Religion and one of the most hostile to all idea of real patriotism. Already in 1881, after the annual congress of the League, the declaration was made that "neutrality" must *dominate* both in politics and religion. From that moment the League entered into open war against Christianity. It made petitions to Senators and Deputies, it stirred up the country; it had a definite influence in the framing of those laws which introduced atheism into the schools.

Freemasonry joined it and became the most active power in France against religion. Nowhere else in the world is there such an organization as this "*Francmaçonnerie.*" The name misleads. The *Grand Orient* of France on September 1st, 1877, scratched from its constitution the ancient formula, "To the glory of the Great Architect of the Universe." Having banished God from their own society, the French "*Francmaçonnerie*" resolved to banish the idea of God from private life and from the hearts of the people of France.

This is no question of politics. It is a question of religion. The *Francmaçonnerie* and the *Ligue de l'Enseignement* go hand in hand.

They have seized upon the children of France; they have established the "neutral" school; their task is cut out and lies before them. It is the vivisection of the child's soul! In the first place, the name of "God" *must be banished*—he must not see or hear it. The child must be taught to worship Reason. If Religion is mentioned at all, it must be made to appear foolish, cruel and merciless; Reason alone is wise, humane and gentle!

Since 1906 old school-books have been revised. Every allusion to God has been obliterated. The child's mind must be *free.* When he grows older this open soil shall be sown with atheist seed. I say "atheist" because the teaching in the French "neutral" school is a teaching of active and aggressive atheism! To prove this, I have only to quote from the school-books themselves. The scope of this article does not admit of reference to more than a

few of them. I shall choose two books which have been in use for many years in the public schools of France: a grammar and a book called "The Tour of France by Two Children," written by G. Bruno, Laureate of the Académie Française. I shall compare the earlier editions with the revised or "neutral" editions at present obligatory. The grammar is by Larive and Fleury (the second year). It is for children from eleven to fourteen years old. I find on the seventh page:

	REVISED EDITIONS (SINCE 1902).
"*IV. A proposition.*	"*IV. A proposition.*
"God is great.	"Paris is great.
"In *God is great, God* is the subject; *is* the verb; and *great* the attribute."	"In *Paris is great, Paris* is the subject; *is* the verb; and *great* the attribute."

ON PAGE 9.

"*Attribute with complement or complex attribute.*	"*Attribute with complement or complex attribute.*
"God is merciful to sinners."	"This plain is fertile with wheat."

Other changes meet one on almost every page. I quote a few more at random:

PAGE 23.

	REVISED.
"Happy are those who, having lived good lives, die in the Lord. Their good works follow them."	"Kind hearts are pleased in doing good works."

PAGE 54.

	REVISED.
"Why fear death if we have lived so good a life as not to dread the hereafter."	"Rome is a magnificent city. We admire its monuments."

PAGE 80.

	REVISED.
"Sailors in danger of drowning remember their God, to whom they offer up the most fervent prayers."	"Pupils should be grateful to their teachers, to whom they owe all their knowledge."

In another place I find "Abel was killed by Cain" changed into "Vercingetorix was conquered by Cæsar"!

Suffice it to say that wherever there is an allusion made to God, to prayer or to religion, and even where sentences from the Old Testament are quoted simply as history, the revising hand has effaced them all. Thus does the French child (even while

studying the grammar of his language) find the "*Ligue de l'Enseignement*" teaching him irreligion.

I come to the second school-book, from which I wish to quote more fully. "The Tour of France by Two Children" was published soon after the Franco-Prussian war and has reached its 351st edition. The author says in the preface: "An acquaintance with one's own country is the foundation of all civic instruction. This story places before the child's eyes duties to be done and examples to be followed, for our two young heroes do not travel through France as simple pedestrians; they have serious duties to fulfil and risks to run. In following them along their road, our school-children are initiated little by little into practical life and gain *moral* as well as civic instruction."

In the revised editions of this book (published since 1904) information as to industrial and commercial economy and sciences remains unchanged. As to "moral instruction" (which used to mean something that admitted the existence of a Deity), I will point out some of the phrases which have been suppressed since five years ago. The story begins by the departure from Phalsbourg, in Lorraine, of two brothers whose father has just died. He told them to go to France and seek an uncle living in Marseilles. This happens in 1871, a few months after the close of the Franco-Prussian war.

The two boys, André aged fourteen and Julien seven, set forth upon their journey. Their clothes are in two bundles tied to sticks and carried over their shoulders. The boys arrive late on the first night at the house of an old friend of their father, Etienne, a maker of wooden shoes, who lives in a forest. The elder brother says, "Don't be afraid, my little Julien."

EDITIONS BEFORE 1905.	REVISED.
"'Oh, I am not afraid, André,' said Julien. 'We are doing our duty. The Lord will help us.'"	"'Oh, I am not afraid, André,' said Julien. 'We are doing our duty.'"

When they knock at the door of the shoemaker, André says, "Let us pray to God that we may be welcome."

EDITIONS BEFORE 1905.	REVISED.
"And the two children knocking timidly murmured in their hearts, 'Our Father who art in heaven, give us this day our daily bread.'"	"'We should not hesitate to ask a service of him.' And the two children knocked timidly at the door."

The children are received most kindly. They announce their father's death. The following account is given of his last moments:

EDITIONS BEFORE 1905.

"'Love one another, my poor children, who shall henceforth be left alone! Live united to one another, *under the eye of God* as you stand before me now, hand in hand.' . . . Then his eyes turned to the open window through which he could see the deep blue sky: his dying gaze lighted up with a pure flame: he seemed now to wish to think of God alone. His soul lifted itself up to Him in one last prayer: confiding to His supreme protection the two orphans who knelt beside his bed."

REVISED.

"'Love one another, my poor children, who shall henceforth be left alone! Live united to one another, as you stand before me now, hand in hand.' . . . Then his eyes turned toward the open window through which he could see the deep blue sky. He seemed to be seeking with his gaze that distant frontier of his dear native land where he would never go, but where his sons, without protection henceforth, had promised that they would go."

Except for the horror of it, this would seem almost like a farce. The French Government will not allow a child in their "neutral" schools to read about a father on earth who believes in his Father in Heaven! The Teaching Power substitutes the death-bed of an atheist father, who dies without one thought of God!

Later on we find the children at nightfall under a big pine tree. The little boy is very tired.

EDITIONS BEFORE 1905.

"He passed his arm about his brother's neck, and his eyes were on the point of closing when a thought came to him. 'André,' he said, 'as I am going to sleep I must say my evening prayer.' 'Yes, dear Julien, we will say it together.' And the two orphans, lost amidst the solitude of the mountain, raised their young hearts to heaven in the same prayer."

REVISED.

"He passed his arm about his brother's neck; his tired eyes closed and soon he was asleep. His little head rested upon André's shoulder, who protected the child against the chilly night air and listened to his quiet breathing. This scarcely perceptible sound alone broke the silence which enveloped them, in the great solitude of the mountain, in which they were lost."

The French "neutral" child must not pray! That night, when the moon has risen, the two children reach the French frontier. Julien leaps with joy.

EDITIONS BEFORE 1905.	REVISED.
"'How good God is!' he cried. 'And how beautiful is the mountain, now that it is lighted by the silvery rays of the moon.' . . . They lifted up their souls to heaven, and thanking God they murmured: 'Beloved France, we are thy sons, and we wish through our whole lives to be worthy of thee!'"	"'How beautiful is the mountain, now that it is lighted by the silvery rays of the moon.' . . . With their hearts stirred at the thought that they were at last upon the soil of France, that their father's wish was accomplished, that they had conquered by their own courage and perseverance the right to be called French, they joyfully embraced one another, crying, 'Beloved France! we are thy sons, and we wish through our whole lives to be worthy of thee!'"

Alas! poor children! There is no God in the French "neutral" schools! You must not thank a non-existent myth. The flower of faith shall not grow in the hotbed of atheism and anarchy!

The book then goes on, describing all the places through which the two children go, giving varied information as to the history, industries, etc., of the cities and provinces through which they pass. Of course the Teaching Power has carefully pruned even this array of "facts," that the children's eyes may continue to be blind to the existence of a Deity or of anything connected with Him. The whole book is most ingeniously expurgated. We find, when the boys approach Lyons:

EDITIONS BEFORE 1905.	REVISED.
"Before them rose the high hills, crowned by seventeen forts, and by the Church of Fourvières, which dominates the great city."	"Before them rose the high hills, crowned by the seventeen forts of Lyons."

The "church of Fourvières" no longer exists (and yet I saw it myself last year, the most conspicuous point in the landscape!). Further on, however, we find something almost incredible in its stupidity, for usually the "neutral" authorities are not *stupid*. The child must not only be prevented from reading about the church of Fourvières, he must not even look at the *picture* of a church!

In the revised edition, on page 265, a map of Champagne takes the place of the illustration in the former editions: the Cathedral of Rheims. There follows from this the suppression of an allusion to Joan of Arc and the coronation of Charles VII.

In another place the old edition says, "Auch has a beautiful cathedral"; the revised says, "Auch has a thriving trade in wines!"

The "suppression" of men who worship God follows naturally upon the obliteration of places where God is worshipped.

The older editions, in speaking of the men of Burgundy, "renowned for their talent and for their great souls," mention first Saint Bernard, with an illustration representing the saint preaching the second crusade in 1146. There follows a portrait of Bossuet with a short biography. The "revision" cuts off Saint Bernard and Bossuet, putting a map of Burgundy in the place of the former illustrations and mentions only Vauban, Monge and Buffon, who are also spoken of in the previous editions. The men with "great souls" are gone!

I will finish what I have to say about this book by mentioning that in a notice of the great surgeon, Ambroise Paré (born near Laval about 1517, died in Paris, 1590), the earlier copies speak of a phrase of his which has kept his memory green even more than the fact that he was physician to Henri II, François II, Charles IX and Henri III. "One day he was congratulated upon the marvellous recovery of a patient. He made this simple answer, 'I dressed his wound; God cured him.' David d'Angers has engraved these words on the pedestal of the statue of Ambroise Paré." The revised edition has only, "The town of Laval has erected to him a statue in bronze by David d'Angers."

I must mention, before concluding this part of my subject, that a "neutral" edition of "Robinson Crusoe" has just been published by Flammarion. When I first heard of it I was incredulous, for I could hardly imagine how the adventures of Robinson Crusoe could be a book dangerous to the *unfaith* of a child, and that he must be shielded from harm by an expurgated edition. I find, upon examination, that the objectionable passages occur in the chapter where Robinson has a fever and calls upon heaven to help him, "Lord, help me, for my need is great!" He remembers that he has some tobacco in a trunk. He gets up and "doubtless guided by heaven," he finds in the trunk a Bible as well as the tobacco. He opens the Bible. His eyes fall upon these words, "Call upon Me in the day of thine affliction, and I shall deliver thee and thou shalt glorify Me." And the fever leaves him. In the revised edition all mention of the Bible is omitted and every-

thing connected with it. The tobacco cures Robinson of his fever! Later on, in speaking of the education of the man "Friday," "teaching him to know the true God," is of course left out, for Robinson has no Bible and there is no God! French free-thought finds Daniel Defoe too orthodox and expurgates him!

I wish now to give some idea of the attitude of prominent political leaders and teachers in France with regard to Religion and Justice, that the reader may see clearly for himself the union of the two great powers, "*La Francmaçonnerie*" and "*La Ligue de l'Enseignement,*" and how the "neutral school" is the offspring of both. I shall limit myself to a few quotations from the writings and speeches of Viviani, Jaurès and Clémenceau, and to extracts from a very well-known book, "*La morale, par Jules Payot, Agrégé de Philosophie et Docteur ès Lettres.*"

"Out of their own mouths shall they be condemned."

On November 8th, 1906, Monsieur Viviani, the Minister of Labor, made a speech which was ordered by the Chamber of Deputies, in which it was delivered, to be printed and distributed through the 36,000 Communes of France. Space does not permit me to transcribe the whole speech; one quotation will, however, suffice:

"The French Revolution let loose all the audacity of men's minds and the ambition of their hearts. But this was not enough. The Revolution of 1848 gave men the suffrage and raised the working-man, bent by his task, and made the humblest and political equal of those in power. But this was not enough. The Third Republic summoned round her the children of the peasant and the working-man, and into their obscure minds, their unenlightened intelligences, she poured little by little the revolutionary germ of education. But this was not enough. With one consent with our fathers, our elders and our fellows, we have bound ourselves throughout the past to a work of anti-clericalism and irreligion. We have torn the minds of men from religious faith. The wretched workman, who, weary with the weight of his day's work, once bent his knee, we now have raised up. We have told him that behind the clouds were only chimeras. Together, and with a majestic gesture, we have put out in the heavens the lights that will never be lit again."

Monsieur Jaurès expresses himself as follows:

"The idea that must be safeguarded before everything is that there is no sacred truth; the idea that no power, no dogma, must limit the perpetual effort, the perpetual aspiration of the human race, humanity resembling a great commission of inquiry (!) with unlimited power; the idea that all truth which does not come from us is a lie; the idea

that whilst we adhere faithfully to this truth the critical spirit must be ever awake and watchful. . . . If God Himself arose before the people in a palpable form, the first duty of man would be to refuse Him obedience, and to consider Him the equal of whoever holds Him in debate, not as the Master to whom he must submit."

He concludes his speech with the words, "In this consists the beauty of our neutral teaching!"

Monsieur Clémenceau is not a socialist, but is a convinced atheist. He revolts against the idea of a God. He substitutes man for the Deity. He says in his book, "*Le grand Pan*":

"Let us respond to the hard blows of fate with renewed effort; and having no need of the lying promises of religion, we will go into the Great Repose with resignation, content to have lived and proud of having at least attempted the sublime scaling of the heavens—'*La sublime escalade des cieux.*'"

Monsieur Clémenceau glorifies the "Titanesque atom" (man), who is destined to become the true God! We agree with Chesterton that the proper abiding-place of the man who believes only in himself is the lunatic asylum! "The fool hath said in his heart, There is no God." And these dangerous "fools" possess France politically to-day.

What is the good of talking about a *religious majority* in France, as people do, if that majority will not unite, sinking its petty political differences, at the next elections? Alas! one sees, when one lives in France, a fashionable class (the "smart set") given over to riotous living, "*On joue la comédie!*" One sees a multitude of well-meaning, almost indifferent optimists: "*cela s'arrangera!*" And one sees many good people who protest in words against all this iniquity. Judet, one of the most brilliant of French journalists, cries out in the "*Eclair*":

"In 1909, as we look back upon the ravages which have been committed by the unbridled dictatorship of Radicalism let loose in all the Government services, we can measure all the ground that we have lost since July 14th, 1898. The evil is so deep-seated that remedy can no longer be awaited from a mere return to the men whose fall was the signal for all these demagogic eccentricities. Whatever constitutional changes may be deemed imperative in order to establish the equilibrium of the country, our first concern, our first duty, is to expel from Parliament that Radicalism which has been able to govern only by giving hostages to Collectivism and by lowering France in the eyes of the world to such a degree that if the process were continued the day

would inevitably arrive when she would be overwhelmed in a European cataclysm.

"If the next elections have any object or significance they must serve to complete the Radical defeat. Twelve years of a *régime* of this kind are enough to make one sick. Let Radicalism be abolished forever as it already is forever despised and discredited."

What will be *done* remains to be seen!

I have said that I shall quote from "*La Morale,*" by Jules Payot. This book stands higher than any other book of its kind in the estimation of the "*Ligue de l'Enseignement.*" I have heard it described as "a most beautiful book," "expressing the *highest* thought of modern France."

On the title-page Monsieur Payot says: "This work is written for the teachers of primary and secondary schools; for the normal schools which educate teachers, male and female; for students and for fathers of families." This, then, is the fountain-head of "neutral" education!

"*La Morale*" is dedicated to Monsieur Léon Bourgeois, "*l'apôtre de la solidarité.*" Here are a few choice samples of his teaching. He begins by glorifying the *Déesse de la Raison!* "The eternal laws of Reason are the conditions of our liberty. *To be free is to submit oneself solely to the eternal laws of Reason,* but we must also obey with docility her laws. To obey Reason, to obey her only—that means Liberty."

"To act well is to decide that the base of all things is Reason." To act ill is to decide the contrary. "Let us choose then the only probable belief: the only one that has Reason in its favor—viz., the belief in the reasonable action of Unknown Impersonal Force." As to a belief in God the Father Almighty, Creator of heaven and earth, M. Payot says: "We have ample proof that the *Unknowable* cares very little about us, and if we want more justice we must *work ourselves* to make it more complete." "The belief in a God who punishes the wicked has lulled to sleep the social conscience, and has contributed to make good men pusillanimous and apt to give a free rein to vice. What matter, since the exemplary punishment shall come. But alas! God does nothing except through us. He is always 'en voyage' when we ourselves are absent."

"To our reasonable conception of a fixed and eternal Universe is opposed the doctrine of creation made out of a chaos—which is

contradicted by all scientific discoveries without exception, and which even would make one come to deny Reason itself. In admitting an arbitrary force as the source of all energy, one introduces an absurdity into the world which would lead us to consider Reason herself as a mere accident!" "This strange and absurd doctrine came from the Orient. The Orientals have never imagined an authority which submits to its own laws. Authority with them has always meant despotism. It is incarnated in an all-powerful man, who has power over the life and death of his subjects; a potentate placed in so lofty a situation cannot develop himself. Like a spoiled child, whose caprices everybody tries to indulge, he cannot learn the necessary lessons of reality. He lives in the unreal and the false; his mind can only be an incoherent mixture of truth and folly. He 'commands all save himself,' for such a man can scarcely possess the sentiment of justice. His subjects have no chance to avoid his capricious anger save by adroitness, servility, supplications and gifts; the dignity of a free man seems bravado to a despot. This personification of authority appears in the idea which the Jews made for themselves of a God.

"That such a conception was destructive of divine majesty and even of Reason herself the ignorant Christian multitudes cannot discern. Thus, in spite of an enlightened minority of scientific minds, we still see a whole mass of duller human intelligences admitting the supernatural, believing in miracles, and maintaining the efficacy of prayer as the means by which they may bribe and corrupt their Deity! The choice between these two conceptions of God divides humanity most widely to-day. On one side we find the philosophic, the scientific and persons of a lofty religious turn of mind; on the other side we find only the superstitious."

Monsieur Payot goes on to say that tolerance belongs to the first class of "minds" and persecution and cruelty to the second! To show his own "tolerance," he speaks of religious worship as follows: "It is in the church or the temple or the synagogue that unhappy persons may find for their own weakness some fraternal help. . . . Worship and prayer in common give to the faithful an expansion of joy, faith and contentment. The spoken word; the example; impressive ceremonies; music and song multiply the sensibilities, and a kind of 'contagion' of emotions is

produced which is a stimulant for the mind. Now *we* are only beginning to organize *our* great anniversaries, *our great human festivals.*"

I pause here a moment to mention that the "*Lanterne*" (mouthpiece of the Radicals) said on Easter Sunday in April, 1908:

"Without waiting until the inevitable extinction of the Christian faith, why should we not at once begin to celebrate as great national and human festivals the rebirth of the sun after the 21st of December and the dawn of spring in the month of April, rather than appear to accommodate ourselves to superstitions which so many of us here in France despise and detest? The duty which grows more and more imperative upon us is to organize glorious popular demonstrations in honor of the great events of the solar year: true festivals of the human race, affirming the Love of Life."

Behold! their *Déesse de la Raison* shall be once more enthroned! Monsieur Payot continues with regard to religion, and its effect upon the human mind, as follows:

"Those persons who are weak of will; passionate and feeble, incoherent, anxious and sick souls (and there is a multitude of such) may find in religious belief, interpreted by a man who in their eyes is qualified to do it, a support, a certainty, a sense of security which eases their minds. In their wretched impotence to govern themselves, this outside help is a panacea which does not cure them, but which calms them, like a beneficent dose of opium." It is revolting to copy such words with which Monsieur Payot whistles down the wind all religion whatsoever, but I *must* give a clear idea of "*La Morale*" as it is taught in the *neutral schools.*

As to his before-mentioned comments on "Reason," Monsieur Payot remarks: "This Truth can be comprehended by a child" and adds: "It has seemed to us best to write first the *book for teachers.* I meditate over every problem with the teacher; arm him against protests; make him understand the living thought to-day of the freest and most loftily human modern minds with regard to this subject. This has been my aim!"

Monsieur Payot continues, on the subject of individual opinions, with regard to religion: "To-day we confess our absolute ignorance concerning any life of the soul after death." "Critics of the Scriptures; patient, well equipped, free to attack the sacred

books of religion, have discovered that they could not have been written by a being supremely good or intelligent. They date from an epoch of ignorance and of feeble intellectual and moral development."

Speaking of the child, Monsieur Payot says: "We believe to-day that we owe to him a teaching that shall set him free, and that no person whatsoever has a right to influence his mind or his conscience in any way." "Each person is free to imagine for himself any survival he may hope for: but no one, in the name of such a hope, has any longer the right to impose his own fears or hopes upon any other human being." "We cannot impose as a truth what we ourselves know is not certain."

Put bluntly, all this talk means that no parent has any right to give, or have given, to his child any religious instruction whatsoever; that the atheist government and not the father has the right to educate the child. He shall be taught that there is no God. No one has a right to declare to him that *there is a God!*

What would the millions of devout parents in the United States say should such a Teaching Power as this seize upon the pupils in our public schools?

"*J'en appelle à toutes les mères!*" "I call upon you, mothers all, to look at this!" Thus did poor Marie Antoinette cry out in agony after she had seen her innocent little boy taught to blaspheme and to dance the *carmagnole* by her brutal gaolers in the *Conciergerie.* The successors to the Reign of Terror, the votaries of the *Déesse de la Raison,* are to-day teaching all the children of France to blaspheme; to declare complete independence of every restraint of mind or conscience; to dance the twentieth-century *carmagnole! J'en appelle à toutes les mères!*

I now come to the second pillar of the State. The *soidisant* French patriot and reformer has been hard at work to overthrow it also. I shall begin by describing what harm has been done to the French people, as a nation, by the doctrine of "*antimilitarisme.*"

It has produced a state of demoralization which threatens the whole army as a body. The "*esprit de corps*" has given place to discontent and a contempt for military service. A recent outrage which was published far and wide is an evidence of this. The soldiers in a French regiment had dishonored and trampled upon their own flag—the very last ditch of military degradation.

Please observe, also, that this demoralization in the French army is the work of no less a personage than Monsieur Briand himself. He is the most conspicuous champion of revolt against military discipline.

Another great danger to the army has been deliberately introduced into it by the French authorities. Before 1906 persons who are called in French "*les condamnés de droit commun*" (men who have undergone sentence and imprisonment for minor crimes and misdemeanors) were sent to Africa to serve there in the battalions of light infantry. They are now put into regiments *in France.* I quote the "*Figaro*" of November 17th, 1909:

"Since 1906 our army receives each year an addition of from eight to ten thousand persons more or less tainted morally; the number this year is more than eleven thousand! Among the conscripts of the last contingent one finds: robbers, vagabonds, cheats, men condemned for assaults, for stabbing or striking blows, and for resisting authority.

"What a baneful influence must they not exert over their associates! How can one be astonished at seeing to-day so many crimes committed in the army when one knows that men are put into it who are unworthy to wear the uniform? Not only do such creatures contaminate their associates by their example and their conversation; for in the life led in common they cannot fail to produce a deplorable effect upon weak and ignorant minds; but they themselves are the most redoubtable adversaries of discipline and active agents of desertion. In regard of this point of view, let us not forget that last January 12,338 deserters were registered, and that with each year the number increases."

Such is the condition at present of the French army. It contains, *in France,* at the present moment 13,631 soldiers (the normal effective force of an army corps in time of peace) who, before entering the army, have passed through prison. They are disseminated broadcast. The children of respectable parents are exposed in each "*chambrée,*" in each "*peloton,*" to such vile associates as these. The newspapers are full of protests. I read in one of them this comment: "It is not at a time when the '*morale*' of our army is threatened by the most pernicious doctrines that we can, without peril, allow such elements of corruption to penetrate into our garrisons."

I pass from the army in France, and its corps of convicted criminals, to the law courts themselves, and I find an appalling statistic as to those criminals who go scot free because uncaught.

I quote (from a recent number of "*Gil Blas*") an article headed "*Effroyable Statistique,*" which is as follows:

"The Minister of Justice has just sent to the President of the Republic the annual report of the courts of law. This document goes back to 1906, for it takes the Judiciary Department three years to substantiate its statistics. This report is curious reading and anything but reassuring as to the public safety. We see, in fact, that three hundred and twenty thousand four hundred and seventy-two prosecutions for penal offences have been '*classés,*' which means abandoned without result. From among these cases, one hundred and three thousand two hundred and thirty three have come to nothing because the criminals could not be found.

"Do you take to heart this fact, reader? It means that a hundred thousand rascals at least escape each year from our bloodhounds of the law and from the rigors of our Penal Code! One hundred thousand assassins, burglars, '*satyrs*' and '*apaches,*' counterfeiters, thieves, train-robbers, etc., are scattered every year throughout the whole of France to the undoing of honest folk, who nevertheless have paid a very high price for protection!"

I read the other day one of the letters signed "Junius" (a regular contributor to the "*Echo de Paris*") which is so interesting, as an example of the lack of administrative justice in France, that I give a translation of it. It is a touching little story told simply.

"I was walking in the neighborhood of a small town and came to a farmhouse built on the edge of the road. The farmer's wife, whom I have known a long time, was just going in as I came by. She carried a very heavy basket heaped with plums. They were not very choice plums. They grow on a tree with brown leaves, whose inventor, with a laudable ambition for glory and for the perpetuation of his name, has called 'Prunus Pissardi.' 'How is this, Mariette?' I cried, looking into the basket. 'You have picked both the ripe and the green ones!' Mariette put down her load and stood with arms akimbo. 'I should rather think I have, sir! Every scrap of fruit we possess, plums or pears or apples or chestnuts, is stolen by wayside tramps! Only yesterday five of them were shaking that tree: three young men and two girls. I told them to go away. They only abused me outrageously. I called my husband; they threatened him. He went to the guard, and the guard said the law would do nothing. The law mocks at us who work hard for a living, and it acquits all the vagabonds and good-for-nothings.' Please notice that the

woman who said all this to me—and thousands of other honest country folk would say the same—is a brave and hard-working creature who has toiled for thirty years, saved and suffered, in order to own a house, a wheat-field and the orchard where that plum tree grows. She and her husband represent that element of the population which is the most healthy and sound and necessary of all; the most worthy to be protected by the laws and by the magistrates who apply the laws.

"Now this woman knows from a hundred instances—and the lawbreakers also knew—that authority has grown lax; that the duty of keeping order is forgotten, and that honest people are abandoned as a prey to malefactors."

The Radical-Socialist government of France is a political menace to all civilized nations. Since the "*entente cordiale*" with England, see what leaps and bounds a reckless and irresponsible socialism has taken there. The *Déesse de la Raison* is dancing the twentieth-century *carmagnole* in England! Jaurès in France looks on, rubbing his hands with glee and saying in effect: "This is our work, but it goes faster in England than we ourselves have dared as yet to let it go in France!"

The "Times" of September 13th, 1909, gives the following description of his state of mind:

"The Socialist leader, M. Jaurès, who is devoting two or three columns a day in his organ, the '*Humanité*,' to a discussion of the political evolution of the working-classes in England, interprets in significant fashion the causes and effects of the policy of the Government in England. M. Jaurès endeavors to explain the circumstances that have enabled the Government to initiate legislation which, in his opinion, 'will mark an epoch in the political and social history of England,' and to present a Budget which he describes as 'unquestionably the most startling which has been submitted to any European Parliament for several generations.' M. Jaurès ascribes this development in the first place to the irresistible pressure of the '*popular movement*' in England, and, secondly, to the whole-heartedness with which Liberalism as represented by the Government has promoted the growth of conditions that it conceived itself powerless to retard. . . . M. Jaurès implies that the Government has imparted purpose and direction to the agitation of the masses, which for their part 'have transformed British public life by *compelling English Radicalism to absorb Socialist ideas*. Never has the tide risen so high in that land of caution, circumspection and traditions."

The Socialist propaganda spreads everywhere. The anarchist

Ferrer was sent from France (where he had spent ten years) into Spain to establish there "neutral" schools exactly like the French ones, and to publish a newspaper proclaiming the doctrines of French Radical-Socialism. He echoed their cry of "*Liberté, egalité, et fraternité!*" The Barcelona outrages followed. When Ferrer was shot, *Liberté* shrieked in France. Members of the French Ministry shouted aloud: "He was *our man;* we taught him; we sent him to found schools in Spain like our schools. He echoed *our* doctrines—and he has been shot! He is a martyr!"

In every other country, too, the bad seed is sown, although the harvests in England and in Spain have ripened faster. In Belgium, too, the evil is spreading. It grows more rapidly in the provinces where French is the language spoken. The Flemish-speaking Belgians are safer from corrupt influences.

Germany is threatened here and there, but under a strong rule and a devout Christian ruler the German people as a whole still worship the Lord and respect the Law. The Christian inhabitants (both Catholic and Protestant) of German Alsace and Lorraine may thank God to-day that they no longer belong to France!

Let this be said to the *shame* of the men who lead France to-day; the men who with their own hands have torn to pieces her great traditions and ground under their iron heels her past glories! A German invasion did not and would not accomplish such wanton destruction as this, which Frenchmen have themselves wrought in France!

She is indeed fallen. Nothing can lift her up again to her place among the great world powers, except a united effort to throw off the bondage of an odious tyranny. Any French patriot worthy of the name who denies her decadence is one of the blind who *will not* see. He is an ostrich who thrusts his head obstinately into the sand.

We shall see the salvation of France only on the day when we may behold her snatched from degradation and once more upheld by the two great pillars—Religion and Justice.

MARIA LONGWORTH STORER.

FAIR REGULATION OF RAILROADS.

BY SAMUEL O. DUNN.

THAT the railroads of the United States always, in future, ought to be subjected to public control every one now agrees. As to what form this control ought to take widely varying opinions are held which are reflected in inconsistent policies of the State and national Governments. In some States the railroads almost run the Governments, although this is not true in as many States as it was a few years ago. Elsewhere the States almost run the railroads. A good many people, who hold otherwise very different views, concur in fearing that a satisfactory policy of regulation will not be worked out, but that Government regulation will lead to Government ownership. The experience of Europe is cited. Germany, Belgium, Italy, Austria, Switzerland, have gone from Government regulation to Government ownership. France, after long owning and operating one small road and exercising strict supervision over six large lines, recently decided to take over one of these big lines, the Western. But European experience, while instructive, is not conclusive. Special conditions in every case have caused public regulation to be succeeded there by public ownership. Our political and industrial history and institutions are different from those of European countries, and in this matter, as in some others, we may perhaps find it more expedient to be warned by their mistakes than to follow their example.

The problem of how the railroads shall be regulated probably will be advanced a long way toward solution when the question of who is to regulate them is better settled. This question, raised recently by a multitude of laws, is pending in novel forms in Federal courts all over the country. Whether exclusive Federal control be desirable or not, we cannot expect to get it, in view

of past decisions of the Supreme Court of the United States, without amendment of the Federal Constitution. We may reasonably hope, however, that the courts will hold that where State laws or regulations necessarily interfere with or nullify a Federal law or regulation the former must yield. Congress then, by setting a good example and by firmly limiting the activities of State legislatures and commissions, can foster a consistent railroad policy that will benefit both the carriers and the public. How badly such action by Congress is needed is perhaps best indicated by the fact that within the five years, 1904-08, inclusive, the State legislatures enacted no less than 800 provisions to regulate common carriers.

There is another phase of this question of who shall regulate the railroads. Shall it be done by the lawmakers directly or through commissions? The nation has an Interstate Commerce Commission whose powers were greatly enlarged by the Hepburn act of 1906. Eight States within the past six years have created new railroad commissions. Seven within the same time have increased the powers of their old commissions. Thirty-nine States now have railroad commissions. We have wisely concluded that so difficult and technical a subject should be dealt with by a small body of experts in practically continuous session. Unfortunately, the State legislatures, while abstractly indorsing this theory, cannot always be got to act conformably with it. During recent years, in all parts of the country, they have constantly interfered with work that they had previously delegated to the commissions. An extreme example was in Wisconsin, where, after the State railroad commission, one of the ablest bodies of the kind in the world, had decided after an exhaustive investigation that two and one-half cents was a reasonable passenger fare, the legislature, without any investigation at all and over the outspoken protests of the commissioners, passed a two-cent-fare law. If railroad commissions are to command the respect of railroads, shippers and public, if they are to perform their duties fairly, intelligently and beneficially, they and their work must be left as free from legislative interference as are the courts and their work.

The appointive commissions are usually far superior to the elective. Of the fifteen States that within six years have created new or remodelled their old commissions those of ten are ap-

pointed by the Governor and of five are elective. In one of these States, whose commission is appointive, the Governor named as commissioners a leading lawyer, a distinguished professor of economics in the State University and an expert statistician. In another of these States the people elected as two of the three commissioners a cowboy who had "killed his man" and who since his election has been arrested and fined for flourishing his gun, and a man who a short time before had bought a gold brick for $10,000. In another State the people elected recently to the railroad commission a man whose only claim on their suffrages was that while a railroad brakeman he had lost both legs in a railroad accident. Cowboys, purchasers of gold bricks, and legless brakemen are not the kind of men that will solve the problem of fair regulation of railroads.

Regulation should relate, as already it generally does relate, to three phases of the railroad business: (1) operation; (2) rates; (3) finances.

Railroad managers have sometimes protested against interference by public authorities with the physical operation of the roads. Regulation of physical operation is perhaps more defensible than any other form. The first duty of common carriers is to provide ample and safe facilities of transportation. Where it is obviously to their selfish interest to do this they may be trusted to do it voluntarily. Regulations to punish people for not doing what they already are straining every nerve to do are futile or harmful. In this class belong the so-called "reciprocal demurrage" rules that were adopted in 1907 by the authorities of ten States. Business had outgrown facilities of transportation, despite herculean efforts by railroad managements. These ten States in their wisdom fixed penalties to be imposed on the roads for not furnishing the needed cars, which did not exist but which the railroads had ordered. By the time the cars were built traffic had slumped enormously, and from January to August, 1908, from 200,000 to 400,000 idle freight-cars stood on side-tracks. No wise legislature or commission required shippers to provide freight to load these idle cars.

Where it is not obviously to the interest of carriers to serve the public well, or they do not do so, it is a proper function of public regulation to compel them to do so. Public regulation has no more important duty than that of making railroad operation

safer. In the year ended June 30th, 1907—the latest year for which complete statistics of the Interstate Commerce Commission had been issued when this article was written—11,839 persons were killed and 111,016 were injured on American railroads. Only a small part of these casualties took place in train accidents. Of the deaths, 1,270, and of the injuries, 15,463, were due to collisions and derailments. Five thousand six hundred and ten persons, or forty-eight per cent. of the total number killed, met their deaths while unlawfully trespassing upon railroad property. The perilous grade crossing claimed 934 lives. A large part of the remaining accidents was due to violation of operating rules by employees. In order to get safe operation of railroads three classes must be subjected to stricter public regulation—railroad managements, railroad employees and the public. The Railroad Commission of Indiana has grasped this important fact and begun an intelligent and thorough campaign to reduce accidents. In its quarterly accident bulletins the Indiana Commission distinguishes between accidents for which the railroads are responsible and accidents for which they are not to blame. To reduce accidents due to employees it has asked the State legislature to make violation of the rules of the companies punishable by fine and imprisonment whether casualties result or not. This is the law in England. To reduce accidents due to trespassing upon railroad property it has asked the press of the State to cooperate with it in pointing out the danger of such trespassing and has urged the legislature to enact a law for the abatement of this evil. If it be more important that railroad operation and travel in the United States shall be made safe than that transportation shall be made cheap, the Railroad Commission of Indiana is a pioneer in the most important work that such a body can do.

There are other features of railroad operation that public regulation should improve for the convenience of the public. The late passenger train is a chronic nuisance. Everybody has been exasperated by it. In the stress of competition for business railroads frame passenger-train schedules that it is often impossible for their trains to "make"; and travellers are annoyed by missing connections and business and social engagements and being kept waiting at stations. The New York Public Service Commission, Second District, in 1907 found a passenger train on a certain road that did not reach destination on time a single day

in July or August. It found a train on another road that was not on time from October 20th to December 1st. On another road it found a train that was late every day in November. On still another road it found a train that was late every day in December. It took steps to stop that kind of thing. If a railroad cannot make its trains conform to the published time-tables it ought to be compelled to make the time-cards conform to the running time of the trains.

Public regulation of the physical properties and of the operation of railroads must be done with a reasonable regard for their earning power. The public cannot compel the roads to spend large sums to furnish safe and adequate transportation without letting them earn the money necessary to defray the expense involved and to pay a reasonable profit besides. It must choose whether it will have convenience, safe and adequate facilities of transportation or the cheapest possible transportation. It will cost immense sums of money to put all the railroads of this country in the shape that such railroads as the Pennsylvania, the Lake Shore and parts of the Chicago and Northwestern are in. They cannot sell the securities to raise this needed money unless it shall be reasonably certain that they will be allowed to charge rates that will enable them to earn enough to pay interest and substantial dividends on fair capitalizations.

The phase of railroad regulation that has received most attention in this country is regulation of rates. One principle has been very firmly established by legislation, decisions of the courts and public sentiment—that railroads, being quasi-public corporations, cannot legally or morally discriminate unfairly in their rates between individuals or localities. The establishment of this principle, after years of flagrant violation of it, has abolished the rebate and is abolishing the free pass. No other principle of rate regulation can be said to have been established and accepted as just and salutary by both railroads and regulating authorities.

The methods of rate regulation vary from State to State and even in the same State. (1) The legislatures sometimes fix schedules of maximum rates for all the traffic in the State. (2) In some States the railroad commissions initiate, on their own motion, schedules of maximum rates for part or all of the traffic. (3) The Interstate Commerce Commission and the commissions of a number of States can only fix rates after somebody has

complained and shown on formal hearing that existing rates are unreasonable. (4) In some States the commissions can only investigate rates and recommend changes. This substantially was true until two years ago of the Interstate Commerce Commission.

The third method seems to work best. Entire schedules made by legislatures or commissions repeatedly have been held unconstitutional by the Federal courts because the regulating authorities, in their zeal to get something done, did not ascertain by patient, thorough and intelligent investigations what would be just as between travellers, shippers and carriers, and in consequence fixed rates so low that, taken as a whole, they were confiscatory. In other cases legislatures and commissions have made schedules which were high enough perhaps to be not confiscatory, but were so low as to discourage railroad development and therefore to be inexpedient. From this cause railroad development is to-day practically at a standstill in Texas, which has yet over fifty counties without a railroad. The State railroad commission has hurt the State as much as it has the carriers.

The initiation of rates should be left in the hands of the numerous traffic managers of the railroads, who are in constant conference with shippers, who usually have good reason for doing all they can to promote industrial development and who have better means of informing themselves about the conditions and needs of the territory their lines serve than any legislature or commission. Power to change specific rates that are unjust or excessive should be given to commissions of experts to protect the public against the occasional unwisdom or unfairness of traffic managers.

The basis on which rates ought to be regulated has been much discussed recently. The Interstate Commerce Commission has asked Congress for authority and funds to make a valuation of the physical properties of railroads as a basis for fixing reasonable rates. In Michigan, Wisconsin, Minnesota, South Dakota, Washington, Texas and other States valuations have been made or are in progress. These valuations are usually estimates of the cost of reproduction of the physical properties in their present condition. It is assumed that the carrier should be permitted to earn only a "reasonable rate of interest" on the value of its physical property. One objection to valuations as bases for rate regulation is that they may be unfairly low. In Texas the State

Tax Board in 1907 placed a valuation upon the railroads of the State for taxation of $419,381,404. In the same year the railroad commission placed a valuation upon them as a basis for rate regulation of only $200,222,306, and argued that roads whose net earnings were eight to twelve per cent. of its valuations were prosperous. It would have been just as fair for it to have valued the properties at half the amount that it did and then argued that these roads were earning sixteen to twenty-four per cent.

Even if a general valuation of railroads based upon their cost of reproduction should be fairly made its use as a basis for adjusting rates over a wide area might work great hardships. A road running through a mountainous country, such as the Denver and Rio Grande, might cost more per mile to reproduce, is proportionately more expensive to operate, and has less traffic per mile than a road such as the Union Pacific which runs mainly through easy and productive country. If a physical valuation of the Union Pacific should convince the Interstate Commerce Commission that it is making too much money and its rates should be reduced, the Denver and Rio Grande would have to reduce its rates to compete with the Union Pacific even though its business already was not profitable. Similar examples could be cited from every section of the country.

A fair valuation of railroads would be based, not merely upon the cost of reproducing their physical properties, but also upon the density of their traffic, the relative costs of operating them, their strategic location—upon everything that legitimately tends to make them profitable and enters into their value as going concerns. The proposition to base railroad rates upon any theory of the cost of producing transportation is looked upon with disfavor by most economists and railroad executives, but rates based upon a valuation in which factors such as those just mentioned were considered much more equitable than rates based merely upon the value of the individual locomotives, cars, ties and fish-plates constituting the railroad's physical plant.

Whether fixed by traffic managers or regulating authorities, rates should be based mainly, not upon the value of the railroad, but upon the value of the service that the railroad renders. They should be "based upon what the traffic will bear"—and, also, they should not be based upon what the traffic will not bear. Dry-goods will bear a higher rate than coal; therefore, coal

should have a lower rate. Coal moving twenty miles will bear a higher rate per ton mile than coal moving one hundred miles; therefore, the rate per ton mile should not be as high for the longer as for the shorter distance. There is not a road in the country that is not making a good profit handling some kinds of business, while on another kind of business its rate is barely high enough to be remunerative and barely low enough to move the traffic; therefore, a horizontal reduction in rates is almost certain to make the rates on some business unremunerative and a horizontal advance to make it impossible for some goods to be shipped. The value of commodities, the distances they are to be hauled, the competition of carriers and markets and many other factors should be considered. Unfortunately there is hardly a State railroad commission that is not frequently or habitually violating every correct principle of rate-making. The results produced by the distance tariffs, the schedules discriminating in favor of local as against national interests and other obstacles that are being put in the way of the free movement of commerce will cause more and more trouble and loss to the railroads and to industry in general unless the powers of the commissions are narrowed or their mental vision is widened.

The amount of profit that railroads ought to be allowed to earn should be treated solely as a matter of expediency. The public will harm itself by exercising its legal right to reduce rates to the point where they are barely not confiscatory. Railroads compete in the money-market with manufacturing, mercantile and other concerns for capital. Capital is invested where, allowance being made for difference of risk, it can get the largest return. If railroads are restricted by reduction in rates, as some propose, to the current rate of interest on the bare value of their physical properties, while investors can get an average of from fifteen to twenty per cent. from investment in manufactures, is it probable that capital will be permanently forthcoming for the adequate maintenance and development of the country's rail transportation system?

The argument most commonly made for governmental regulation of the financial affairs of American railroads is that they are over-capitalized and charge excessive rates to pay dividends on their watered stocks. Over $3,000,000,000 of railroad stocks and bonds are owned by the railroads of the United States themselves.

Allowing for this duplication, their average net capitalization in 1907 was less than $58,000 per mile. The average capitalization of the railroads of Canada is almost $56,000 per mile and of the railroads of Mexico is almost $58,000 per mile. The cost of the German railroads has been $105,000 per mile. The capitalization of the railroads of France is $134,000 per mile; of those of the United Kingdom, $272,000 per mile. There are some roads in this country that are over-capitalized and others that are under-capitalized, but a fair valuation would probably show that as a whole the railroads of the United States are worth more than they are capitalized for. It may be said, however, that regulation is needed at least to keep the roads that are over-capitalized from charging exorbitant rates. But the over-capitalized roads cannot charge excessive rates because they have to meet the rates of the roads that are fairly capitalized. A water-logged road like the Chicago Great Western has got to make the same rates as such competitors as the Chicago and Northwestern, the Chicago, Burlington and Quincy and the Chicago, Milwaukee and St. Paul or quit business. "The capitalization of the railroads, I think, cuts no figure in this rate question," Martin A. Knapp, chairman of the Interstate Commerce Commission, once said. The true justification of public regulation of railroad finances, if there be any good reason for it, is that it is needed to insure good transportation service and to protect investors.

There is always danger that an over-capitalized road, in order to keep up the price of its securities, will pay out in interest and dividends what ought to be spent on maintenance of the property.

The Interstate Commerce Commission, acting with authority given by the Hepburn act, required the railroads to begin the use, on July 1st, 1907, of a uniform system of accounting. In several States the same accounting system has been prescribed. The system may be defective in details, but it is a move in the right direction.

In order to prevent railroads from being loaded with debt, plunged into bankruptcy, and thereby rendered incapable of performing properly their duty to the public, public regulation should, perhaps, be exercised in future over their issues of bonds and other evidences of indebtedness. It ought to be seen that every bond issued has back of it a good deal more than an equivalent in tangible value. It ought, if practicable, to be seen that every

dollar raised by the sale of securities goes into the development and improvement of the property, and not into some pocket where it has no business. The looting of railroads should be guarded against and punished like the looting of banks. Whether any steps, except those necessary to accomplish these purposes, should be taken is extremely doubtful. A law of Massachusetts provided for fifteen years that securities might not be issued except at their market price; what the market price was, to be determined by the State railroad commission. Texas prohibits the issuance by any railroad of stocks and bonds having a par value more than fifty per cent. in excess of the value of its property as fixed by the State railroad commission; and the commission has fixed the "true value" of Texas roads at only forty-eight per cent. of their assessment by the State Tax Board, at fifty per cent. of their capitalization and at little less than the amount of their outstanding bonds, thereby making the issue of new securities practically impossible. Railroad officers of the highest reputation contend that the administration of these laws has hindered railroad development in both Massachusetts and Texas; and the legislature of Massachusetts in 1908 amended the law in that State so as to provide that the stockholders of transportation companies may fix the price at which stock shall be issued, and that the railroad commission may refuse its approval only if in its opinion "the price fixed by the stockholders is so low as to be inconsistent with the public interest." Congress and the legislatures of the States should not act until they are sure the laws regulating security issues that they shall pass will not so hamper legitimate business as to do more harm than good.

"Virtue," said Aristotle, "is a middle state between two faulty states, in the way of excess on one side and defect on the other; and it is so, moreover, because the faulty states on one side fall short of and those on the other side exceed what is right." To make Government regulation of railroads fair and successful, the faulty state on the side of the reactionary that would fall short of, and the faulty state on the side of the radical that would exceed, what is right, must equally be avoided. No right of the public should be left unprotected. At the same time no restriction or burden that the protection of the rights of the public does not clearly require should be placed upon the railroad.

SAMUEL O. DUNN.

THE EVOLUTION OF STYLE IN MODERN ARCHITECTURE.*

BY THOMAS HASTINGS.

THE architectural style or language of any time in history is, and always has been, a universal language common to all peoples. In solving problems of modern life, the essential is not so much to be national or American, as it is to be modern and of our own period.

The question of supreme interest is, What influence life in its different phases has upon architectural style. Style in architecture is that method of expression in the art which has varied in different periods, almost simultaneously throughout the civilized world, without reference to the different countries, beyond slight differences of national character mostly influenced by climate and temperament. Surely modern architecture should not be the deplorable creation of the would-be style-inventor, or that of the illogical architect, living in one age and choosing a style from another!

The important and indisputable fact is not generally realized that from prehistoric times until now each age has built in one, and only one, style. Since the mound-builders and cave-dwellers, no people, until modern times, ever attempted to adapt a style of a past epoch to the solution of a modern problem; in such attempts is the root of all modern evils. In each successive style there has always been a distinctive spirit of contemporaneous life from which its root drew nourishment. But in our time, contrary to all historic precedents, there is a confusing selection from the past of every variety of style. Why should we not be modern and have one characteristic style expressing the spirit of our own

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life? History and the law of development alike demand that we build as we live.

One might consider the history and development of costumes to illustrate the principle involved. In our dress to-day we are modern, but sufficiently related to the past; which we realize when we look upon the photographs of our ancestors of only a generation ago. We would not think of dressing as they did, or of wearing a Gothic robe or a Roman toga, but as individual as we might want to be we would still be inclined, with good taste, to dress according to the dictates of the day.

The irrational idiosyncrasy of modern times is the assumption that each kind of problem demands a particular style of architecture. Through prejudice, this assumption has become so fixed that it is common to assume that if building a church or a university we must make it Gothic; if a theatre, we must make it Renaissance. One man wants an Elizabethan house, another wants his house early Italian. With this state of things, it would seem as though the serious study of character were no longer necessary. Expression in architecture, forsooth, is only a question of selecting the right style!

The two parties with which we must contend are, on the one hand, those who would break with the past, and on the other those who would select from the past according to their own fancy.

Style in its growth has always been governed by the universal law of development. If from the early times, when painting, sculpture and architecture were so closely combined, we trace their progress through their gradual development and consequent differentiation, we can but be impressed by the way in which one style has been evolved from another. This evolution has always kept pace with the progress of the political, religious and economic spirit of each successive age. It has manifested itself *unconsciously* in the architect's designs, under the imperatives of new practical problems and of new requirements and conditions imposed upon him. This continuity in the history of architecture is universal. As in nature, the types and species of life have kept pace with the successive modifications of lands and seas and other physical conditions imposed upon them, so has architectural style in its growth and development until now kept pace with the successive modifications of civilization. For the principles of de-

velopment should be as dominant in art as they are in nature. The laws of natural selection and of the survival of the fittest have shaped the history of architectural style just as truly as they have the different successive forms of life. Hence the necessity that we keep and cultivate the historic spirit, and that we respect our historic position and relations, and that we more and more realize in our designs the fresh demands of our time, more important even than the demands of our environment.

What determining change have we had in the spirit and methods of life since the revival of learning and the Reformation to justify us in abandoning the Renaissance or in reviving mediæval art, Romanesque, Gothic, Byzantine or any other style? Only the most radical changes in the history of civilization, such as, for example, the dawn of the Christian era and of the Reformation, and the revival of learning, have brought with them correspondingly radical changes in architectural style.

Were it necessary, we could trace two distinctly parallel lines—one the history of civilization, the other the history of style in art. In each case we should find a gradual development, a quick succession of events, a revival, perhaps almost a revolution, and a consequent reaction, always together, like cause and effect, showing that architecture and life must correspond. In order to build a living architecture, we must build as we live.

Compare the Roman orders with the Greek and with previous work. When Rome was at its zenith in civilization, the life of the people demanded of the architect that he should not only build temples, theatres and tombs, but baths, palaces, basilicas, triumphal arches, commemorative pillars, aqueducts and bridges. As each of these new problems came to the architect, it was simply a new demand from the new life of the people; a new work to be done. When the Roman architect was given such varied work to do, there was no reason for his casting aside all precedent. While original in conception, he was called upon to meet these exigencies only with modifications of the old forms. These modifications very gradually gave us Roman architecture. The Roman orders distinctly show themselves to be a growth from the Greek orders, but the variations were such as were necessary in order that the orders might be used with more freedom in a wider range of problems. These orders were to be brought in contact with wall or arch, or to be superimposed upon one another, as in a

Roman amphitheatre. The Roman recognition of the arch as a rational and beautiful form of construction, and the necessity for the more intricate and elaborate floor plan, were among the causes which developed the style of the Greeks into what is now recognized as Roman architecture.

We could multiply illustrations without limit. The battlements and machicolated cornices of the Romanesque, the thick walls and the small windows placed high above the floor, tell us of an age when every man's house was indeed his castle, his fortress and stronghold. The style was then an expression of that feverish and morbid aspiration peculiar to mediæval life. The results are great, but they are the outcome of a disordered social status not like our own, and such a status could in no wise be satisfied with the simple classic forms of modern times—the architrave and the column.

Compare a workman of to-day building a Gothic church, slavishly following his detail drawings, with a workman of the fourteenth century doing such detail work as was directed by the architect, but with as much interest, freedom and devotion in making a small capital as the architect had in the entire structure; perhaps doing penance for his sins, he praises God with every chisel stroke; his life interest is in that small capital; for him work is worship; and his life is one continuous psalm of praise. The details of the capital, while beautiful, may be grotesque, but there is honest life in them. To imitate such a capital to-day, without that life, would be affectation. Now a Gothic church is built by men whose one interest is to increase their wages and diminish their working-hours. The best Gothic work has been done and cannot be repeated. When attempted it will always lack that kind of mediæval spirit of devotion which is the life of mediæval architecture.

We might enumerate such illustrations indefinitely. If one age looks at things differently from another age, it must express things differently. With the revival of learning, with the new conceptions of philosophy and religion, with the great discoveries and inventions, with the altered political systems, with the fall of the Eastern Empire, with the birth of modern science and literature, and with other manifold changes all over Europe, came the dawn of the modern world; and with this modern world there was evolved what we should now recognize as the modern archi-

tecture, the Renaissance which pervaded all the arts and which has since engrossed the thought and labor of the first masters in art. This Renaissance is a distinctive style in itself, which, with natural variations of character, has been evolving for almost four hundred years.

So great were the changes in thought and life during the Renaissance period that the forms of architecture which had prevailed for a thousand years were inadequate to the needs of the new civilization, to its demands for greater refinement of thought, for larger truthfulness to nature, for less mystery in forms of expression and for greater convenience in practical living. Out of these necessities of the times the Renaissance style was evolved —taking about three generations to make the transition—and around no other style have been accumulated such vast stores of knowledge and experience, under the lead of the great masters of Europe. Therefore, whatever we now build, whether church or dwelling, the law of historic development requires that it be Renaissance, and if we encourage the true principles of composition it will *involuntarily* be a modern Renaissance.

Imagine the anachronism of trying to satisfy our comparatively realistic tastes with Gothic architectural sculpture or painting made by modern artists! Never until the present generation have architects presumed to choose from the past any style, in the hope to do as well as was done in the time to which that style belonged. In other times they would not even restore or add to a historic building in the style in which it was first conceived. It is interesting to notice how the architect was even able to complete a tower or add an arcade or extend a building, following the general lines of the original composition, without following its style, so that almost every historic building within its own walls tells the story of its long life. How much more interesting are these results alike to the historian and the artist!

In every case where the mediæval style has been attempted in modern times the result has shown a want of life and spirit simply because it was an anachronism. The result has always been dull, lifeless and uninteresting. It is without sympathy with the present or a germ of hope for the future—only the skeleton of what once was. We should study and develop the Renaissance, and adapt it to our modern conditions and wants, so that future generations can see that it has truly interpreted our life. We

can interest those who come after us only as we thus accept our true historic position and develop what has come to us. Without this we shall be only copyists, or be making poor adaptations of what was never really ours.

The time must come, and, I believe, in the near future, when architects of necessity will be educated in one style, and that will be the style of their own time. They will be so familiar with what will have become a settled conviction, and so loyal to it, that the entire question of style, which at present seems to be determined by fashion, fancy or ignorance, will be kept subservient to the great principles of composition, which are now more or less smothered in the general confusion.

Whoever demands of an architect a style not in keeping with the spirit of his time is responsible for retarding the normal progress of the art. We must have a language if we would talk. If there be no common language for a people there can be no communication of ideas, either architectural or literary. I believe that we shall one day rejoice in the dawn of a modern Renaissance, and as always has been the case, we shall be guided by the fundamental principles of the classic. It will be a modern Renaissance because it will be characterized by the conditions of modern life. It will be the work of the Renaissance architect solving new problems, adapting his art to an honest and natural treatment of new materials and conditions. Will he not also be unconsciously influenced by the twentieth-century spirit of economy and by the application of his art to all modern industries and speculations?

Only when we come to recognize our true historic position and the principles of continuity in history, when we allow the spirit of our life to be the spirit of our style, recognizing first of all that form and all design are the natural and legitimate outcome of the nature or purpose of the object to be made—only then can we hope to find a real style everywhere asserting itself. Then we shall see that consistency of style which has existed in all times until the present generation; then shall we find it in every performance of man's ingenuity, in the work of the artist or the artisan, from the smallest and most insignificant jewel or book-cover to the noblest monument of human invention or creation, from the most ordinary kitchen utensil to the richest and most costly furniture or decoration that adorns our dwelling.

We must all work and wait patiently for the day to come when we shall work in unison with our time. Our Renaissance must not be merely archæological—the literal following of certain periods of the style. To build a French Louis XII of Francis I or Louis XIV house, or to make an Italian *cinquecento* design, is indisputably not modern architecture. No architect, until our times, slavishly followed the characteristics of any particular period, but he used all that he could get from what preceded him, solving such new problems as were the imperatives of his position.

What did a man like Pierre Lescot, the architect of the Henry II Court of the Louvre, endeavor to do? It would have been impossible for him actually to define the style of his own period. That is for us, his successors, to do. For him the question was how to meet the new demands of contemporaneous life. He studied all that he could find in classic and Renaissance precedents applicable to his problem. He composed, never copying, and always with that artistic sense and the sense of the fitness of things, which were capable of realizing what would be harmonious in his work. In the same way all architects, at all times, contributed to a contemporaneous architecture, invariably with modifications to meet new conditions. This must be done with a scholarly appreciation of that harmonious result which comes only from a thorough education. So with freedom of the imagination and unity of design an architecture is secured expressive of its time.

How is it with us in this country? Not only do many architects slavishly follow the character of some selected period, but they also deliberately take entire *motifs* of composition from other times and other places to patch and apply them to our new conditions and new life. Every man's conscience must speak for itself as to whether such plagiarism is right; but while the moral aspect of this question has very little to do with art, yet intellectually such imitative work, though seemingly successful, positively stifles originality, imagination and every effort to advance in the right direction.

The way is now prepared for us to endeavor to indicate what are some of the principal causes of the modern confusion in style. With us Americans, an excessive anxiety to the original is one of the causes of no end of evil. The imagination should be kept

under control by given principles. We must have ability to discern what is good among our own creations and courage to reject what is bad. Originality is a spontaneous effort to do work in the simplest and most natural way. The conditions are never twice alike; each case is new. We must begin our study with the floor plan, and then interpret that floor plan in the elevation, using forms, details and sometimes motives, with natural variations and improvements on what has gone before. The true artist leaves his temperament and individuality to take care of themselves.

Some say that if this is all that we are doing there is nothing new in art; but if we compose in the right way, there can be nothing that is not new. Surely you would not condemn nature for not being original because there is a certain similarity between the claw of a bird and the foot of a dog, or between the wing of a bird and the fin of a fish. The *ensemble* of each creature is the natural result of successive stages of life, with variations of the different parts according to the principles of evolution. There are countless structural correspondencies in the skeletons of organic life, but these show the wonderful unity of the universe; and yet, notwithstanding this unity, nature is flooded with an infinite variety of forms and species of life.

We must logically interpret the practical conditions before us, no matter what they are. No work to be done is ever so arbitrary in its practical demands but that the art is elastic and broad enough to give these demands thorough satisfaction in more than a score of different ways. If only the artist will accept such practical imperatives as are reasonable, if only he will welcome them, one and all, as friendly opportunities for loyal and honest expression in his architecture, he will find that these very conditions will do more than all else besides for his real progress and for the development of contemporaneous art in composition.

The architects in the early history of our country were distinctly modern and closely related in their work to their contemporaries in Europe. They seem not only to have inherited traditions, but to have religiously adhered to them. I believe that it is because of this that the genuine and naïve character of their work, which was of its period, still has a charm for us which cannot be imitated. McComb, Bullfinch, Thornton, Letrobe, L'Enfant, Andrew Hamilton, Strickland and Walters were sufficiently American and distinctly modern, working in the right

direction. Upjohn and Renwick, alas! men of talent, were misled by the confusion of their times—the beginning of this modern chaos, the so-called Victorian-Gothic period.

Gifted as Richardson was, and great as his personality was, his work is always easily distinguished, because of its excellent quality, from the so-called Romanesque of his followers. But I fear the good he did was largely undone because of the bad influence of his work upon his profession—stumpy columns, squat arches and rounded corners, without Richardson, form a disease from which we are only just recovering. McComb and Bullfinch would probably have frowned upon Hunt for attempting to graft the transitional Loire architecture of the fifteenth century upon American soil, and I believe all will agree that the principal good he accomplished was due to the great distinction of his art, and the moral character of the man himself, rather than to the general influence and direction of his work.

McKim's name at this time we mention almost with bated breath. Whether he was right or wrong, whether we agree with him or not, in wanting to revive the art of Bramante, St. Galo and Peruzzi in the nineteenth century, he had perhaps more of the true sense of beauty than any of his predecessors. His was the art of the man who loved the doing of it without thought of credit, and this makes itself felt in every example of his work, which was always refined, personal and with a distinctly more classic tendency in his most recent work.

We have seen that the life of an epoch makes its impress upon its architecture. It is equally true that the architecture of a people helps to form and model its character. If there is beauty in the plans of our cities, and in the buildings which form our public squares and highways, its good influence will make itself felt upon every passer-by. Beauty in our buildings is an open book of involuntary education and refinement, and it uplifts and ennobles human character; it is a song and a sermon without words. It inculcates in a people a true sense of dignity, a sense of reverence and a respect for tradition, and it makes an atmosphere in its environment which breeds the proper kind of contentment—that kind of contentment which stimulates ambition.

But, above all, it cultivates the sense of beauty itself, which is as important a factor in a well-formed character as is the sense of humor and almost as necessary as the sense of honor. It is,

I believe, a law of the universe that the forms of life which are fittest to survive, and the very universe itself, are beautiful in form and color. Natural selection is beautifully expressed, ugliness and deformity are synonymous, and so, in the economy of life, what would survive must be beautifully expressed.

If a story is to live it must be told with art, and a message of truth will carry further and be of more lasting service if beautifully expressed. There is literary style in every good book, however personal or simply written. Beauty of design and line in construction builds well, and with greater economy and endurance than construction which is mere engineering. The qualitative side first, then the quantitative side of construction should be considered. The practical and the artistic are inseparable. There is beauty in nature because all nature is a practical problem well solved. The truly educated architect will never sacrifice the practical side of his problem. The great economic as well as architectural calamities have been performed by so-called practical men with an experience mostly bad and with no education.

Construction should first be designed, then calculated. Know where you want to go before seeking a way to go there. The separation of the architect and the modern engineer has been brought about principally because of the innovation of railroads and steel construction.

The engineer and architect should work hand in hand at the very inception of the structural design. The architect should not be called in, as is generally the case, to decorate badly designed construction with useless ornament. We should meet these new conditions of life in construction, with art in the very skeleton of the construction itself, and even so, with this unfortunate separation of engineering and architecture, something should be done to bring them closer together, and they should join forces at the very beginning of every important undertaking; otherwise we shall suffer for it even as we have already, and it is only by being forewarned that we can forestall the consequences.

When we think of what the past ages have done for us, should we not be more considerate of those that are yet to come? A great tide of historic information has constantly flowed through the channel of monuments erected by successive civilizations, and we can almost live in the past through its monuments.

The recently discovered buried cities of Assyria give us a vivid idea of a civilization lost to history. The Pyramid of Cheops and the Temples of Karnak and Luxor tell us more of that ingenuity which we cannot fathom, and the grandeur of the life and history of the Egyptian people, than the scattered and withered documents or fragments of inscriptions that have chanced to survive the crumbling influences of time. The Parthenon and the Erechtheum bespeak the intellectual refinement of the Greeks as much as their epic poems or their philosophy. The triumphal arches, the aqueducts, the Pantheon and the Basilicas of Rome tell us more of the great constructive genius of the early Republic and the Empire of the Cæsars than the fragmentary and contradictory annals of wars and political intrigues.

The unsurpassed and inspiring beauty of the Gothic cathedrals which bewilders us, and the cloisters which enchant us, impress on our minds a living picture of the feverish and morbid aspiration of mediæval times—a civilization which must have had mingled with its mysticism an intellectual and spiritual grandeur which the so-called Dark Ages of the historian have failed adequately to record, and here, in and around Washington and in our own country in general, even amid the all-absorbing work of constructing a new government, our people found time to speak to us to-day in the silent language of their simple architecture, of the temperament and character of our forefathers.

Consider the time in which we are now living. Will our monuments adequately record the splendid achievements of our contemporaneous life,—the spirit of modern justice and liberty,—the progress of modern science,—the genius of modern invention and discovery,—the elevated character of our institutions? Will disorder and confusion in our architecture express the intelligence of this twentieth century? Would that those in authority might learn a lesson from the past, and awaken in their wisdom to build our national monuments more worthy of the dignity of this great nation, and more expressive of this wonderful contemporaneous life!

THOMAS HASTINGS.

NITROGEN STARVATION.

BY CHARLES E. WOODRUFF.

UNDER the leadership of Professor R. H. Chittenden of Yale University and several other physiologists here and in Europe, a new and dangerously false dietetic theory has received undue publicity among laymen. It is asserted that we eat much more of the nitrogen foods than we should, and that health and efficiency are enhanced by cutting down the supplies about fifty per cent., more or less, whereas the evidence seems to prove that most of the people of the world do not get enough.

It is only within comparatively recent years that the vital importance of nitrogen has been recognized. The older chemists and physiologists looked upon organic substances as carbon compounds, such as sugar, starch, cellulose and alcohol; but, as a matter of fact, living material is essentially a mixture of very complex nitrogen compounds, while the carbon substances are manufactured by living cells. It is highly essential, then, in all vital phenomena, to remember that living matter is an unstable compound built of nitrogen and needing nitrogen for its continued existence.

All the other elements entering into the composition of our bodies are essential to life, no doubt, for experiments show that we can starve a lower organism by depriving it of any one of them; yet the main element is nitrogen, for without it all growth ceases. Without nitrogen there is no life. The lowest organism can utilize nitrates, or ammonia in solution, or the mere oxides of nitrogen, or even nitrogen itself; but, in the higher animals, the only substances to which we should give the name of food are the proteids, or complex nitrogen compounds, derived from other organisms. The carbon foods—sugars, starches, fats and alcohols—really deserve the name of fuels; for, though they do

become parts of some of our tissues and enter into the very substance of the cells, their main purpose, as far as now known, is to burn up to release their stored energy.

The amount of carbon fuel-food necessary for health is so dependent upon the work done that discussion of it is almost futile. A steamship at her dock requires but little fuel for heating and to run her necessary machinery, but when at full speed her consumption is enormous. Man follows the same rule, for he is a heat-engine too. The ship is built of many things, but the basis of all is the element iron, and for growth and repair iron is to the ship what nitrogen is to man. It is quite evident that a ship which makes many trips at high speed needs more repairs than a "sedentary" one at her dock, and in the same way a man who works much requires more than he who works little. It is not possible, then, to state exactly how much nitrogen any particular man should have, nor can we give a standard to which all men should conform, whether sedentary professors or active coolies. Indeed, there is some evidence that proteids can be as safely used for fuel in man as they are in the carnivorous animals, for some healthy races are largely though not entirely carnivorous.

There is a wide-spread opinion that the excess of protein puts some kind of a curious "load" on the liver and kidneys, though no one has ever been able to prove it. Physicians "relieve the load" by a milk diet containing large quantities of nitrogen in the casein. In addition, it was once thought that over-indulgence led to gout and rheumatism, but it has long been known that those diseases are most prevalent among the underfed poor. As a matter of fact the world over, the higher classes are fed with an abundance of nitrogen and are the healthiest, longest lived, most energetic, best developed and freest from disease. In India there is still an opinion that abscess of the liver is due to overeating, but it is now known to be due to infections, and that the well-fed nitrogen-eaters are less liable to it than the starved.

What makes the matter still more unaccountable is the overwhelming evidence of wide-spread semi-starvation among the lower classes in every part of the world. The explanation of this well-known fact is not so well known, but it is quite easy, nevertheless. As all biologists now acknowledge, there are more individuals born in every species than can possibly survive, and

there is a struggle for existence which is, in some part at least, a struggle for subsistence. There is not enough nitrogen to go round, and those who get the most grow best and survive over the less well fed. This law being universal, applies to man as well as to bacteria. Not only are periodical famines reported from many parts of the world, but even among the best-fed nations there are starving classes, as our settlement-workers know too well.

Now, it has long been noted that nitrogen, being the essential for which the demand is so great, has always had a high price. Carbon foods cost a few cents a pound, but dried protein costs a dollar or more, and foods rich in nitrogen are the most expensive — eggs, milk and meat. An insufficiency of nitrogen, therefore, is the main defect in all Old World dietaries, at least where there is overcrowding of the population, and observations show that the higher classes the world over do consume far more nitrogen than the lower. In Germany there is a chronic meat famine, and throughout the northern half of Continental Europe horse meat is a staple—even dogs are slaughtered under official inspection in Germany. Nevertheless, in some places the peasant rarely if ever is able to buy meat of any kind. In the crowded tropics nitrogen is still more rare, and there is a veritable nitrogen thirst among all the rice-fed natives. A feast or *fiesta* is not of dainties, as with us, but is a solid repast of meat. How serious, then, would be the error of accepting low nitrogen dietaries as the normal, when nitrogen underfeeding is the cause of the lack of growth and the susceptibility to disease so characteristic of the lower classes. Moreover, through the more abundant nitrogen diet of America, the children of undersized immigrants develop, as a rule, into fine specimens, and are able to do far more work than their cousins who have stayed at home. Over and over again have the official experts of our agricultural experiment stations made feeding experiments with domestic animals and shown that, by liberal nitrogen feeding, animals grow better and in every way are superior to those with a diet excessive in everything except nitrogen. Botanists long ago gave the name of "nitrogen starvation" to the condition of plants in which this first essential of life was deficient, and no better term can be applied to the underfed peasantry of Europe.

In England and other countries it has been found that de-

fective development and what is called degeneration are largely due to defective nitrogen nutriment supplied to the young both before and after birth. For many years observant English schoolmasters have noted the irritability of underfed schoolboys and the deplorable condition of the girls, whose food is mostly the carbon compounds. When nitrogen is increased—meat twice a day—the children become normal. The same observation has been made with other carnivorous animals—for we are carnivorous at least in infancy—and they, too, show grave inanition when the nitrogen is reduced.

The traditional military policy of the United States Government has been to increase the liberality of the soldier's food. We have much more to accomplish, for we are still behind European nations. A comparison of our maximum ration with the maximum war rations in Europe some years ago revealed the astonishing fact that ours is one of the worst in the world. Dependence upon it always results in emaciation and weakness, so that restaurants in and around armies and garrisons are absolutely essential and every soldier spends a large amount of his pay for food, and, significantly enough, his favorite tidbit is ham and eggs—nitrogen. These facts were denied by a military sanitarian at the time the publication was made, and he stated that our ration was the best in the world and not susceptible of much improvement. Yet Congress has been repeatedly compelled to increase the soldier's ration. In addition, Representative Littlefield made an effort to obtain fifty cents monthly for each soldier to buy extras, and I have personally long advocated such an allowance.

Though the European war rations are very large—the husky Russian soldier receiving two pounds of bread a day in comparison to our one—the peace ration, particularly in Germany, is small, because the soldier is expected to get money and food from home. It is part of every one's tax to serve in the army, and, later, to feed his sons who are serving there. It is calculated that the 600,000 German soldiers spend for food over and above their ration the enormous sum of one hundred million dollars or even two hundred million, if we count in the extras of the sons of well-to-do parents. The Danish soldier in the West Indies was once held up as a proof that low diet will suffice, for he was given but four ounces of meat; yet it was not mentioned

that he got fifteen cents a day to buy more. The English were compelled to give the soldier more meat in India than in England.

In view of these facts, it was with amazement and dismay that the writer learned that a squad of soldiers had been starved by Professor Chittenden to prove that the ration was really overfeeding them! The matter was so important that the men were traced to get the real facts, which every military sanitarian knows were not at all what Professor Chittenden thought they were. At the end of the experiment the men were photographed, weighed, tested and declared to be in far better condition than at the beginning of the experiment—a statement so much at variance with the military experience of the world as to be incomprehensible. The reports received in 1905 and 1908 cleared up the matter at once.

One said "that he felt badly throughout the test, and that his health and strength improved immediately on stopping it," and that he did not continue the low diet. The second lost twelve pounds in the test and was always hungry, but he regained his normal as soon as he returned to normal diet. The third thought he received some benefit, but he returned to normal diet and normal weight. The fourth said that his nervous system was permanently damaged; he continued the diet three months, but stopped it because he became weak, nervous and dizzy and had frontal headaches. He lost weight, but upon return to normal diet he gained weight and lost his abnormal symptoms. The fifth did not find the diet beneficial in any way, and it was unsatisfying, though he was not damaged as far as he knew. The sixth and seventh merely stated that they did not continue the diet and were in excellent health. The eighth was so impressed with the harmfulness of the diet that he believed he would have died had he continued it. The ninth continued the diet and was in good condition. Surely this is a record to deter other experimenters in the line of starving human beings.

All this is bad enough for the greatly reduced diet which it is supposed the men ate, but it becomes far worse when it is realized that it was the result of a better diet than reported. Hungry men will eat, and persistent rumors stated that the men had secretly partaken of "square meals" now and then. These rumors proved to be correct. One of the men made the following statement:

"In giving a true and concise statement of the matter, I do so, believing it will not compromise me now. From the time the experiment first began up to the termination of the same, I gradually lost weight and strength, believing the same due to insufficient amount of food, especially meats. At the time of the test, I was six feet in height, weighed 160 pounds, and was in good health. During the test I lost twenty pounds in weight. Apparently some of the smaller men did not fare as badly as I, but all expressed a dissatisfaction with the whole affair.

"I was not sick during the test and have not been since to speak of, but I felt like an old man at the end of the experiment. It seems that I felt weak and had no energy or ambition for anything. However, I have experienced no bad effects since undergoing the test.

"As to the matter of eating outside, I do not believe that there was more than one man taking the test who did not eat as well as drink on the outside whenever he had an opportunity. Private ——, I believe, adhered strictly to the test in every respect. Being an old man, he did not avail himself of the privilege of going out in the evening, but at the end he looked much older than before and expressed his dissatisfaction. As for myself, I will say that I ate on the outside occasionally and believe, had I not done so, I would have starved.

"During the test we were given gymnastic exercises, which were highly appreciated by the men; but toward the end the men became so weak that the exercises early exhausted them, and sometimes many of them were hardly able to reach their quarters.

"It is my belief that the reports prepared and the books written regarding this test and its apparent success are greatly exaggerated, and I believe all of the men on the test would so testify.

"As a reward for our services on the test, we were sent for duty to the World's Fair at St. Louis with the United States Army Medical Department exhibit, and as soon as we were returned to full diet every one seemed to gain rapidly in strength and weight. Within three months after the test I went from 140 pounds in weight to 170 pounds."

Though most of the men did eat secret extra meals now and then, it was not sufficient to make up a normal diet. The deficiency was extremely harmful, so that, if they had taken as small an amount as was reported, the result would have been disastrous. The reason for the concealment was the fact that the men had been disobeying orders and were afraid of the consequences of discovery; and the weakness and distress had been concealed with all the rest. As a scientific experiment, the whole thing falls to the ground.

The result being the opposite of what was reported, it is quite evident that three of the most remarkable blunders possible in a scientific investigation were committed. In the first place, the "probable error" due to unknown factors and unavoidable faults

of observation was not estimated. The possibility of extra sources of food should have been fully stated and emphasized, for failure to enlarge upon it has given the impression that the men lived on far less food than was actually the case. No investigation ever gives exact results, but the probable error is invariably calculated.

The second blunder is of far more importance, and that is the neglect of the "factor of safety." It has long been known that by natural selection in times of stress only those organisms survive which are much stronger than necessary in ordinary times. Hence each organ is built on good engineering principles with a factor of safety varying from six to twenty, or that many times stronger than need be for ordinary stresses. This is now known to be the reason why we must eat just a little more than we expend, to have a surplus to store up in a physiological bank account for times of infection when there is a "run" on our resources. The man with no surplus goes under like a bank with no reserve. The normal man always has a good layer of fat under the skin, and the very fact that he does not go on increasing in weight like a prize pig is proof that the appetite and other conditions prevent undue excess. No animals store up tremendous quantities unless it is for some special use. To be sure, there are types developed by man for the purpose of manufacturing fat, but these animals would promptly perish unless man preserved them. Experiments with cavalry horses have shown that when satiety comes they drop back to the ration, refusing any surplus offered. Obesity is a disease and is not due to diet primarily. Hence we find that, with plenty of food available, we are not able to take more than a small surplus for future emergencies, and unless we do take it we are unable to weather the storms of life.

In the cure of tuberculosis, for instance, the main factor is the outdoor life, but the next important factor is nitrogen nutrition —not stuffing the patient, but giving him a generous diet of milk, eggs and meat to the limit of his digestive powers. The results are marvellous and leave no reasonable doubt that the main reason why the tissues lost their resisting powers was the fact that they had previously suffered from deprivation of nitrogen. Sometimes other diseases leave the cells impoverished so that tubercle bacilli find a favorable soil, and sometimes the patient, though fat from consumption of carbon fuel-food, has

neglected the real nitrogen foods. Alcoholics often succumb for this reason, for it has recently been shown that neither excessive indulgence nor total abstinence of themselves are factors of importance. Sometimes chronic indigestion prevents the proper supply to the cells; and, finally, what is far more to the point, recent study of various forms of protein shows that some, though digested by one species of animal, are incapable of digestion by another, and that more or less of the protein we ourselves eat is useless as food. It is highly essential, then, that we eat more than enough to allow for indigestible and unassimilable portions —if we are to keep ourselves in a condition whereby our cells may destroy the living tubercle bacilli we are daily liable to take into our bodies. The factor of safety must be large or we perish. The theory of the low-diet faddists, that tubercular susceptibility is due to overeating, has nothing to support it, is opposed to all we know of the disease and is most dangerous to public health. It is not a disease of the well fed.

Even in the lower animals we find evidence of importance, for it has long been known in zoological gardens that, as a rule, with some exceptions, due possibly to bad ventilation, vegetable feeders are twelvefold more susceptible to tuberculosis than the meat-eaters. Moreover, foxes and rats on a carnivorous diet are nearly immune, but more than twice as susceptible on a vegetable diet, though fat and apparently thriving. Likewise milk-fed calves rarely contract tuberculosis, even when fed from tuberculous cows. It is also found that the carnivorous New World monkeys rarely contract the disease which is common among the vegetarian Old World species, and the latter are preserved in greater numbers by adding nitrogen to the diet, even if it be given as a sloppy beef tea.

Beri-beri is another microbic disease which does not attack those with a big nitrogen bank account. Well-fed Europeans in the Orient never contract beri-beri—practically speaking. In northern latitudes, relapsing fever and typhus rarely attack those fed upon an abundance of nitrogen. Like beri-beri, they are found among the underfed. Similarly, cholera, the plague and other infections are also dreadfully fatal to rice-fed Orientals, who are able to do immense labor by the oxidation of these carbon fuel-foods, but whose tissues are in a condition of nitrogen bankruptcy. Well-fed Europeans not only escape the diseases, as a

rule, but when they are infected a much larger percentage recover. This is the reason why the English army was compelled to increase the meat ration in India, and it is now an axiom that in the exhaustions of a tropical climate more nitrogen is needed than at home. In spite of these well-known facts, Dr. Wiley, the Government food expert, not so long ago advocated a reduction of nitrogen in the tropics and a fruit diet. If we would follow that advice tropical campaigns would be impossible, and as an actual fact the digging of the Panama Canal was found to be impossible if laborers were not fed with plenty of nitrogen supplied by Government commissaries. Experience showed that on the fruit diet they were as feeble as the soldiers on Professor Chittenden's diet. Meat is now making the dirt fly, and this great revolution was made by a layman, in spite of the foolish theories of the dietetists, and he did it because he found that the healthiest men were the well-fed prisoners in jail.

Evidence of starvation among the submerged tenth can be found aplenty in all works on poverty. The results in destruction of health are the reasons for the existence of about 50,000 more American physicians than there would be if every one could get and use as much nitrogen as his tissues demand, and that amount varies with the work. It need only be mentioned here that, if our present death rate continues, ten million Americans now living are doomed to die of tuberculosis, and Robert Hunter estimates that ten million of the inefficient classes are constantly on the verge of underfeeding and often are unable to get enough.

The third blunder is the assumption that these fat-free "trained" men with cordlike muscles are normal, whereas they are abnormal to a degree. We must repeat that the normal man has a layer of fat under his skin. These "trained" men were able to lift weights, make records on dynamometers, run a mile or perform a short test, but they had no staying power. The purpose of the "training" of athletes and horses is to produce powerful breathing muscles, and a big heart which will be able to do tremendous pumping of blood for a short time of excessive activity. Only the young organism will react to such practices, and it is left with something it has little use for in later life and which might be injurious—an hypertrophied heart which may later become dilated. Now and then there is a desperate effort made to prove that "training" is not harmful, but the argu-

ments are wofully misleading and not based on facts. There is plenty of evidence that young men able to indulge in sports are longer lived than those too frail to make records. No one denies that; but it is far from proving that the recent craze for "training" immature boys is productive of longevity. The after-lives of professional athletes are not over-long nor over-healthy.

Now, the whole aim of military training is the exact opposite of college athletic training. It is designed not to enlarge the hearts, but to give a great store of surplus energy to enable soldiers to endure long strains with a minimum of harm. No man can go through a long war without injury to health—it is beyond human endurance—and the tremendous pension roll is evidence of that fact—not evidence of fraud, as so many people hint. There is a prevalent idea that we must train soldiers by subjecting them to the real strains of war, but that is as dangerous as submitting them to actual gun-fire to teach them how to stand up before bullets in battle. Athletes make poor soldiers, as a rule, for they are able to make severe exertion for a short time instead of less exertion for a long time, and they have no reserve force.

We will do well to increase the ration even more and make it unnecessary for soldiers to buy extra food as at present. Civilians who wish to sink into a condition of nitrogen starvation must take the consequences of possible physiological bankruptcy.

Professor Chittenden proved, what military sieges have proved for thousands of years, that people can exist in a weakened state for long periods on a restricted diet. But he proved something infinitely more important, something which has also been known for a long time; and that is the fact that muscles can be compelled to store up nourishment needed elsewhere. While the nervous system is crying out for food, we can cause the muscles to grow big. Athletes often, if not generally, are on the verge of nervous exhaustion and if not managed with exquisite skill they are "stale"—another word for neurasthenia. This is the reason why so many old professionals resort to alcohol or become victims of tuberculosis. Many a college athlete is unable to apply himself to his books, and it is found absolutely necessary in all colleges to cut them off from athletics when the exhaustion has gone that far. Every scholar should take part in athletic sports, but not be a "trained" athlete nor flabby "bookworm."

It is high time that the science of dietetics should free itself of the horde of parasitic fads which have fastened themselves upon it. It is the black sheep in the flock of sciences which make up that greater science called "medicine," and it has been under a cloud long enough. Nothing is too absurd to be advocated, from a diet of peanuts to one of raw meat. For many years the real science of dietetics was content with a mere study of what people were eating in all walks of life in every part of the world. It was sad enough to have the illogical conclusion once thrust upon us that these dietaries were necessarily correct, without regard to the results as to vigor and immunity from disease. Indeed, no one seemed to think that the coolie ate rice because it was the only thing he could get, and that he greedily ate better food whenever he had a chance. When the real scientists took up the work of experimental dietetics, it was with keen expectation that the medical profession looked forward to enlightenment—and the enlightenment we got was the new fad that we eat too much of the thing of which we are built, a fad which will destroy a nation as surely as it will destroy an army. Long before there was a "science" of dietetics, Napoleon said that an army "travels on its stomach," and every other man who has ever had the management of bodies of workers has said that they work on their stomachs. And we can apply the same rule to the nation and to the whole race.

Though we cannot build a ship without iron or a man without nitrogen, yet, after the building is done, we can well reduce these elements; and it is surprising the small amount of nitrogen with which an old sedentary man can retain efficiency—but that is another story, for we are here concerned with the danger of insufficient nitrogen until well along in middle life. It has been reported that within a year two college boys have died while subjecting themselves to low nitrogen diet, and in each case the physicians in attendance were of opinion that the lowered vitality from partial nitrogen starvation was the real cause of death. Names and places have been suppressed as a matter of course, but there does not seem to be any doubt as to the reality of the facts. So let us teach good feeding, and then, perhaps, we will not hear of so many students who have broken down from "overwork," which is too often, if not always, "underfeeding."

CHARLES E. WOODRUFF.

FOUR YEARS OF ENGLISH LIBERALISM.

BY BRITANNICUS.

GREAT BRITAIN, as I write, is in the throes of a General Election, the issue of which will be known before this article appears in print. I shall not, therefore, be so foolish as to attempt to forecast it. But it is difficult to believe that there can be any result but one of the appeal that is now being taken to the electorate. England in many eyes would almost have ceased to be England if she did not reject the claim of the House of Lords to control the national finances. But apart from that transcendent issue the Liberals are fortified in their hopes of victory by the record they have established during the past four years. It is this record I propose to examine, a record of legislative energy unique, I think, in British history and one that not only exemplifies the range and effectiveness of the British Parliament as a law-making instrument, but that can hardly fail to interest students of political tendencies and social reformers everywhere.

When the Liberals, in January, 1906, came back to power they had been out of office for virtually twenty years. It is true that a Liberal Ministry reigned from 1892 to 1895. It reigned, but it did not rule. It was dependent on the Irish vote for its very existence; its majority rarely rose above forty; the House of Lords did much as it pleased with its measures; and the retirement of Mr. Gladstone and the accession of Lord Rosebery to the Premiership produced an outburst of internal dissension. With that exception, if it can be called an exception, the Liberals had been excluded from office since the middle eighties. The pendulum was slow to swing to their side, but when it did swing it was with shattering effects. The Liberals rode into power in 1906 with one of the largest majorities in the annals of British Parliaments. They had a clear plurality over all other parties

combined of eighty-eight; and their forces when allied with those of the Irish Nationalists and of the Labor group outnumbered the Unionists by no less than 356. They owed their triumph to many causes. They were greatly helped by the folly of the Unionists in permitting the introduction into the Transvaal mines of Chinese laborers under conditions that shocked the moral sense of England. They were also helped by the unmeasured hostility of the Nonconformists towards the Education Act of 1902. In all constituencies where no Labor candidate was running the Labor vote went to swell the Liberal majority, chiefly because the Unionist Government had done nothing to reverse the judicial decisions that made Trades-Unions liable for damages and declared picketing illegal. Again, the Licensing Act passed by Mr. Balfour's Cabinet was regarded by many Englishmen who were far from being Temperance agitators as an unworthy surrender to the brewers. These were tangible allies on the Liberal side, and their influence was considerably increased by the inevitable discontent that fastens upon any Government that has been long in power, by the memory of several grave administrative scandals arising out of the South-African war, and, above all, by the conviction that Mr. Balfour's failure to make his fiscal policy intelligible to the multitude, and his tactics of evasion and subterfuge, dishonored both the country and the Parliament. All this, undoubtedly, had its weight. But beyond everything else was the question of maintaining Free Trade. The enormous majority polled by the Liberals was first and foremost an emphatic repudiation by the country of Mr. Chamberlain's Protectionist propaganda.

The Liberals, then, were returned to uphold Free Trade, to make an end of Chinese Labor, to amend the Licensing and Education Acts of the preceding Government, to carry out a long-overdue programme of social and industrial reform and to reverse by legislation the decision of the courts in the famous Taff Vale case. By this decision Trades-Unions were adjudged liable to damages for wrongful acts committed by their officials during the conduct of a strike. In this way the payments which Trade-Unionists had made to the "benefit" funds of their organization could be debited with whatever damages a court of law might inflict for torts committed during a strike by Trade-Union officials. Again, the law was in a state of chaos on the subject of

"picketing." John Jones might advise people not to work for the Great Western Railway. If the officials of the Amalgamated Society of Railway Servants did the same thing they broke the law. One person could not "conspire"; a number of persons could. Recent decisions, moreover, had declared that Trades-Unions, as corporations, were not only legally capable of doing wrong, but far more capable than private individuals. The Liberal Government within a few months after taking office passed a Bill, the Trades Disputes Bill, which secured complete immunity for all Trade-Union funds, legalized peaceful picketing and laid down the principle that any act lawful in the eye of the civil and criminal codes if done by an individual is not unlawful if done by a combination. To Americans such privileges have probably an ominous sound, but as a matter of fact the Trades Dispute Bill of 1906 did no more than confirm the British Trade-Unions in the possession of rights which they had already enjoyed for over a quarter of a century.

In the same year the Government passed a Workmen's Compensation Act. This Act amended and consolidated the law as to compensation for injuries, extended its benefits to seamen and shipmasters, shop assistants, postmen, domestic servants, and to all employees whose annual remuneration was less than $1,250, awarded compensation for all injuries causing more than one week's incapacity, established a special scale of compensation for persons under twenty-one earning less than five dollars a week, and made provision for facilitating the computation of the amount due as compensation, for safeguarding workmen against oppressive agreements, for regulating the disbursement of the amounts payable to dependents of deceased workmen, and for enabling the services of medical referees to be more fully utilized. Another Act, also passed in 1906, considerably simplified and improved the system of reporting accidents in mines, quarries, factories and workshops. A third Act of the same year, the Merchant Shipping Act, established for the first time a compulsory food scale on board ship, secured on all foreign-going ships the carrying of a certificated cook, increased the space that must be given to the accommodation of the crew, imposed on foreign ships in British ports the same regulations as to load-line, life-saving appliances, grain cargoes and unseaworthiness as are applicable to British ships, and prohibited the granting of any fresh pilotage

certificates to aliens. A more recent Act, passed in 1909 and called the Trade Boards Act, attacked the industrial and social evil of sweating. It set up for certain trades Boards composed of representatives of employers and of workers in equal numbers, with official members appointed by the Board of Trade. The duty of the Trade Boards is to fix minimum rates of wages for both time-work and piece-work in the following trades: (1) ready-made and bespoke wholesale tailoring; (2) cardboard-box making; (3) machine-made lace and net finishing; and (4) ready-made blouse making. The Act provided also that other trades might from time to time be added to the list.

When Mr. Lloyd George was President of the Board of Trade he passed two very useful Acts, one ordering a regular census of British production—a census that will reveal for the first time the dimensions of the home trade—and another providing that patents held in Great Britain must be worked in Great Britain under penalty of being revoked. But his greatest triumph was the settlement at the end of 1907 of what at one moment threatened to be the greatest strike in the history of British railways. He averted it by setting up Conciliation Boards between masters and men to which all questions of hours, wages, etc., should be referred for adjustment and by providing for impartial arbitration in the event of the Boards failing to agree. The scheme was accepted at once by eleven railway companies and thirty-five other companies have since subscribed to it. It has worked with remarkable smoothness and holds out a really solid assurance of peace in the railway world for many years to come. Mr. Winston Churchill has shown himself as alert and enterprising a President of the Board of Trade as was his predecessor. The present year will see his Labor Exchanges Act at work all over the country. By that Act Labor Exchanges will be established on a uniform system throughout Great Britain for the purpose of giving information as to where men are wanted and what kinds of jobs are to be had. The buildings in which they are to be housed will offer facilities for washing, for clothes-mending and for non-alcoholic refreshment; separate provision is to be made for men and women and for skilled and unskilled labor; boy labor will be dealt with in co-operation with the local education authority; and travelling expenses can be advanced on loan to workmen for whom situations are procured. In these ways it is hoped, at a

cost of about $1,000,000 a year, to increase the mobility of labor and to bring the whole problem of unemployment under focus. Another measure standing to Mr. Winston Churchill's credit is the Port of London Act which provides for the purchase of the existing docks and their management henceforward by a Port Authority, amply provided with funds and borrowing powers for improving and extending the docks and dredging the channels of the Thames, and administered by the elected representatives of the traders and ship-owners using the Port. Besides all this, the Liberal Government in the past four years has brought the Board of Trade into far closer and more helpful touch with the business world than it ever was before; has improved the conditions of labor in the Government arsenals, dockyards, and so on; has recognized Trade-Unions of Government employees; has shortened the hours of labor in laundries and has brought under the inspection of the Home Office all industries carried on for profit in charitable and reformatory institutions, such as convents and reformatories; has passed an Act establishing an eight-hour day in coal-mines; has prohibited the use of white phosphorus in the manufacture of matches; has set up a new department for supervising the Mines Regulation Acts; has largely increased the staff of Factory Inspectors; has issued a large number of regulations for safeguarding workers against accident or disease; and has instituted, as a preliminary to legislation, official inquiries into such subjects as the amendment of the Truck Acts; lead-poisoning; the calculation of wages paid by weight in iron and steel trades, in quarries, cement-works, etc.; the conditions of employment in fish-curing; infant mortality among factory workers' children; and the employment of children as half-timers.

At the head of all the measures of social legislation passed by the Liberal Government stands the Old-Age Pensions Act of 1908. By this Act all people of seventy and over except aliens, criminals, lunatics, and persons in receipt of Poor Law Relief, are entitled to a pension not exceeding five shillings ($1.25) a week, provided their incomes from all sources do not exceed $157.50 a year. Those with incomes of not more than $105—and they are the vast majority of the pensioners—draw their five shillings a week from the Post-Office. Those with incomes between $105 and $157.50 draw four, three, two or one shilling a week according to a graduated scale. Altogether some 682,000

old men and women have come within the scope of the Act, and when the receipt of Poor Law Relief ceases, as it soon will, to be a disqualification, their numbers will be increased by between 200,000 and 300,000 and the annual charge on the State will amount to little less than $50,000,000 a year. Another very important measure passed by the Liberals is the Small Holding Acts of 1907. This Act authorized the taking of land compulsorily for Small Holdings and Allotments either by purchase or on lease, and it provided a cheap and easy process for acquiring the land thus procured either, in the case of purchase, at its fair market value, or, in the case of leasing, at a fair rent. It came into operation on January 1st, 1908, and has so far resulted in 23,000 persons applying for over 373,000 acres. Of these 13,200 applicants have been approved by the County Councils and nearly 60,000 acres have been acquired under the Act for their reception. No more significant or successful move has been taken in our time for the repopulation of the English countryside. A third and not less notable measure, the Development Act of 1909, establishes a fund that will probably never be less than $3,500,000 a year for the purposes of aiding and developing agriculture, forestry and rural industries, of draining and reclaiming land, of improving rural transport, of improving harbors and canals, and of developing fisheries. The Act further sets up a Road Board to spend $3,000,000 a year—derived from the taxes on motor-cars and petrol—on the extension and improvement of the existing road system.

Another valuable contribution to social reform was made by Mr. John Burns in his Housing and Town-planning Act of 1909. This Act requires every County Council to appoint a Medical Officer of Health who must devote his whole time to his duties; it sets up, and takes power to enforce, a high standard of fitness for human habitation of practically all working-class dwellings throughout the country; it vests the local authorities with new and stringent powers for acquiring land for building purposes and for demolishing unsanitary areas; it prohibits back-to-back houses and cellar dwellings; and for the first time in English history it authorizes schemes for regulating the development of towns on a settled and approved system so as to provide for the needs of public health, social amenities and future growth. A yet more intimate and interesting experiment in social well-being has been

made by the Liberals in connection with children. By an Act passed in 1906 they empowered local Education Authorities to assist voluntary efforts for feeding underfed school-children by providing buildings, furniture, apparatus, etc., the food to be furnished by voluntary effort. In cases where the Education Authority is satisfied that there are children in want of food and that voluntary help is not forthcoming or is inadequate, it may itself provide the food to the extent of a halfpenny rate, recovering from the parent the price for each meal thus supplied to his child. By a second Act passed in 1907 the Liberals provided for the medical inspection of children in elementary schools and empowered the local Education Authorities to make arrangements for their medical treatment. Similarly the Liberals have revised with admirable boldness the Physical Exercises Syllabus in use in the public schools; have limited, or have tried to limit, the employment of children in street trading; have provided for the earlier notification of births in the hope of reducing infant mortality; have taken a hint from American experience in dealing with child offenders; and, finally, have passed an Act, known as the Children Act of 1908, which might better be described as the Children's Charter. I wish I had space to consider this Act with the fulness it deserves. It provides, among other things, for the effective official supervision of all "Homes," orphanages and similar institutions in which young children are nursed and taken charge of for payment. It greatly strengthens the law relating to the prevention of cruelty to children. It makes every case of death by overlaying due to the drunkenness of a parent or guardian a punishable offence. It obliges parents to surround their grates with fire-guards. It insists on a sufficient number of adults being present at children's entertainments to insure their safety in the event of fire or panic. It sets up a "Juvenile Court" for child offenders, sitting at a different time or place from the ordinary court, separates the children from older delinquents, forbids their imprisonment in ordinary gaols, and orders parents to attend the court when their children are charged and to pay the fine if they have been remiss in their parental duties. The Act makes it a penal offence to give alcohol to children under the age of five anywhere, except in case of illness, and children under fourteen are forbidden to enter any part of a saloon. Tobacconists are not allowed to sell cigarettes or cigarette

papers to any one under sixteen; pawnbrokers are forbidden to have dealings with children under twelve and metal and marine store dealers with children under sixteen; and vagrants are prohibited from taking their children with them about the country at such times and in such a way as to deprive them of all education.

In Ireland, though it failed to take the hoped-for step towards devolution, the Liberal Government has accomplished much. It passed an Act restoring to their holdings the two thousand evicted tenants who still survived from the land war of the eighties; it founded a university acceptable to Irish Catholics—a problem that has baffled British statesmanship for a generation and more; it has governed the country by means of the ordinary law and without once resorting to coercion; and just before Parliament was dissolved it succeeded in placing on the Statute-Book an Act that will rescue the policy of land purchase from the deadlock caused by the breakdown of the financial arrangements of the Act of 1903 and will also do something to relieve the congestion and poverty of the West. As Postmaster-General, Mr. Sydney Buxton's record has probably never been equalled for enterprise and efficiency. He has established a penny postage rate for letters between Great Britain and the United States and between Great Britain and nearly all her colonies and dependencies; he has reduced by seventy-five per cent. the postage on newspapers, magazines and trade journals to Canada; he has greatly extended the telephone system which in 1912 becomes the possession of the State; he has acquired for the State the sole ownership of wireless telegraphy; and apart from many minor reforms he has handled the not always tractable staff of the Post-Office with eminent judgment and good feeling. In the sphere of legal reform the Liberals have instituted a Court of Criminal Appeal, have provided for the adoption of the Borstal system in the case of youthful offenders over the age of sixteen, and have altered the law so as to subject habitual criminals to prolonged detention under conditions somewhat less severe than those of ordinary penal servitude. They have not given women the suffrage, but they have passed many Acts for the benefit of the sex; one, for instance, prohibiting night work by women in mines and factories, another enabling a married woman to dispose of her property without the concurrence of her husband, a third legalizing mar-

riage with a deceased wife's sister, and a fourth throwing open the borough and county councils to women rate-payers. As regards finance, their main achievements have been to stop the pernicious practice of borrowing on capital account for current expenditure, to pay off $235,000,000 of national debt, to differentiate for the purposes of income-tax assessment between earned and unearned incomes, to more than halve the tax on sugar, to abolish the export tax on coal, to reduce the taxes on tea and tobacco, to effect a net yearly decrease of over $35,000,000 in the taxation account, and to introduce the famous Budget in which Mr. Lloyd George taxed land values, mineral royalties, reversions and undeveloped land, exacted a fair return from the liquor trade for the monopoly it enjoys, and still further graduated the income tax. Their Army reforms are almost too technical for discussion in an American Review, but I think one may fairly say that Mr. Haldane, by organizing a highly efficient expeditionary force of 166,000 men, ready for service at any moment and in any part of the Empire, and by raising on the basis of local patriotism and endeavor a Territorial force of 312,000 for home defence, has proved himself the greatest administrator who has yet directed the British War Office. I think, too, that, in spite of many assertions to the contrary, the Liberals have steered a sound course between needless expenditure and ill-timed economy in the vital question of the Navy and that they have fully maintained the two-power standard.

The Liberals came into office in 1906 pledged to abolish Chinese Labor in South Africa. They have carried out their pledge. By the time this article appears in print it is doubtful whether there will be left on the Rand a single one of the 53,000 Chinamen who were working there three years ago. In other respects, too, the Liberal policy in South Africa has been singularly happy. The grant of responsible self-government to the Transvaal and the Orange Free State was an act of high and generous statesmanship, justified a thousand times over by the union of the four South-African States which has been its magnificent sequel. As a rule, Liberal Governments in the past have been decidedly weak in their Imperial and foreign policies. No such charge can be brought against the Ministry that is now appealing to the country. It has done more than any Government that has yet held office in Great Britain to make the Empire something more than

a glittering abstraction, to knit its component parts together by military, naval and commercial conventions, and to develop the resources of its more backward regions. In India, again, Lord Morley has handled a very difficult and perplexing crisis as one would expect him to handle it—with courage, patience and sympathy; and the large and effective powers of self-government he has entrusted to the natives open up a new, momentous and inspiriting era in Anglo-Indian relations. In his conduct of foreign affairs Sir Edward Grey has been even more successful. He was obliged to stand sponsor for, though he probably did not initiate, the futile scheme of disarmament submitted to the Hague Conference, and he failed to appraise with accuracy the forces that were working against him in the Balkan crisis of a year ago. But apart from these two mistakes he has done admirably. He has pretty well wiped the Anglo-American slate clean of all contentious issues; he upheld France with steadfastness and effect during the Algeciras Conference; he has brought about an Agreement between Great Britain, France and Spain for the maintenance in common of their Mediterranean interests; he has negotiated a far-reaching *rapprochement* with Russia; he has reinforced the Alliance with Japan; and throughout the Turkish and the Persian revolutions he displayed cool-headedness, dignity and good sense.

The Liberals have failed in three major and in three minor undertakings. Their efforts to solve the Education problem on the basis of full popular control over all rate-aided schools, the abolition of religious tests for teachers, non-sectarian Bible teaching, and reasonable facilities for special denominations, were foiled by the Lords. Their efforts to assert the supremacy of the State over the liquor trade were likewise frustrated; and the Lords, besides hanging up Mr. Lloyd George's Budget, have rejected a Bill abolishing plural voting, a Scotch Small Landholders' Bill, a Scotch Land Values Bill and a Bill constituting London a single Parliamentary borough. But even though these measures were lost the Liberal record remains one of unique practicality and success, inspired by sincerity and humanity, and remarkably illustrative of the scope and fascination of British political life.

BRITANNICUS.

ON THE ORIGIN OF WALLER'S COUPLETS,

BY WILLIAM W. GAY.

WHEN Jonathan Swift in the first fresh colors of his satirical humor portrayed Grub Street for Prince Posterity, he painted an immortal picture of literary London at the opening of the eighteenth century. As we contemplate it only a slight effort of imagination is needed to hear the shrill cries of the hawkers selling at the coffee-houses the latest political libel: to see the perukes of the wits and the dandies bending over the day's attack upon the ministry, the most recent scandal in high life, or the last essay in verse of the reigning poet. It was a time of extraordinary, even feverish literary activity, in which the latest lampoon vied with the last bulletin from Marlborough's victorious army, and under the assaults of wit ministers fell with the regularity of the defeat of the French.

Of the horde of men who then labored in the field of letters and starved in the hope of fame, how many names survive? A few makers of verse are now and then upon occasions read, and the genius of but one of these was brilliant enough to penetrate to us through the mists of formalism. The age of Anne was an age of prose. Its triumphs were won by Addison, Steele, Swift and DeFoe, who have given us prose which men will read even though Pope shall have sunk, like his foes in the Dunciad, under the thick, black waters of Oblivion. It is not the "Essay on Man" or the "Rape of the Lock," poems which dimmed for eighteenth-century eyes the suns of Spenser, Chaucer and Shakespeare, that first challenge our admiration, but the "Spectator," the "Tale of the Tub" and "Robinson Crusoe." Never until then had England produced for the delight of men such prose, though Ascham, and Bacon, and Hooker, and Taylor and Milton had exercised their genius in it.

Great was the contrast with the opening years of the seventeenth century when yet the Elizabethan choir were in full song. The English muse, free, buoyant and natural then, now walked in trammels like a school miss bound by the rules of correct deportment. In 1600 "Hamlet," "Othello," "Lear," "Antony and Cleopatra," "Twelfth Night" and the "Tempest" were yet to be given to the public. Jonson's "Volpone" and "Alchemist" had not been written. Massinger, Fletcher, Webster and Ford were yet to do their work. In 1700 Milton, the last great English poet to hold the Elizabethan tradition, had been in his grave but twenty-six years. Herrick, whose lyrics still dance in the minds of men, had died as lately, and Ben Jonson had left his sons to mourn his empty seat at the Mermaid little more than fifty years before. In so short a time how great a revolution in the taste of intellectual England! How was it that men came to prefer the verses of Swift, of Prior, Parnell and Gay to the musical and imaginative poetry of the Elizabethans? the "Essay on Man" to "Hero and Leander"? the "Campaign" to Drayton's martial "Agincourt"? the comedies of Wycherly to "Twelfth Night" and "As You Like it"? What was it that so dulled English minds that Shakespeare and Jonson and all the poets of their day seemed rude, barbarous and without taste?

Whim will sometimes account well enough for the fact that a people occasionally will neglect a really great writer for an inconsequential rival who has struck by chance a popular note. So a gust of wind will drive a bee from the honeysuckle or clover to some coarser bloom. But there must be something stronger than whim or fashion so to change a whole nation's taste that it became possible for Hume to say with applause that "of all the great poets Virgil and Racine" seemed the most just as lying farthest from the extremes of ornamentation, and therefore the most admirable, and to declare with the sunlight of the Elizabethan age shining in his eyes that "with regard to the stage, they (the French) have excelled even the Greeks, who far excelled the English," so placing Racine in his pseudo-classicism far up on Olympus not only above Shakespeare, but above Æschylus, Sophocles and Euripides.

Until within recent years this great change in the spirit of English letters, particularly the rise of the classical school of poetry, was attributed to French example as a matter of course.

It was an easy solution of a difficult problem and one that seemed obvious. The great authority of Boileau, the co-existence of the two similar schools in France and England, the long exile in France, at a time when the French classical poets were flourishing, of certain English poets who became conspicuous after the restoration and the French sympathies of the court of Charles II naturally suggested the solution. So firm had this conclusion become through long acceptance that when Mr. Gosse delivered his lectures before Johns Hopkins University combating this view as unhistorical and wholly untenable, he aroused almost a storm of hostile criticism. But Mr. Gosse demonstrated the very great probability that Edmund Waller had written in the reformed couplet "To the King on His Navy" and others of his early poems before Malherbe published his first essays in verse, and, accepting this as true, that the appearance in English literature of the school of Waller, Dryden and Pope was a phenomenon to be attributed wholly to native influences. Beyond that he did not go. Briefly to discover what those influences were, and, more particularly, where Waller found the pattern of his couplets, or the inspiration to them, are the objects of this essay.

It is not to be denied that the French poets and critics exerted a strong influence over English writers. Dryden, to a certain degree, especially in the use of rhyme in dramatic composition, was affected by them, although he said he was led to make his experiments in rhymed drama rather by the example of some of the older English writers. To a far greater degree Pope and Addison were under the French spell. But it may be said with confidence that this influence was strong chiefly because it was in harmony with an original, native movement, that it only confirmed a taste which had already developed through a natural evolution. Had the reformed couplet been the result of a purely imitative fashion, the movement never would have become the literary tyranny which in fact it was. It probably would have passed away in a decade or two as the rhymed tragedy passed, and as went the imitative school which in the latter part of the last century sought to naturalize in the commonwealth of English poetry the more artificial verse forms of the early French poets.

Those who have accepted the theory of French dominance and English tutelage have done so in disregard of the opinion

of one whose statements in such matters we are bound to respect. Dryden, who found that he had "a soul congenial to" Chaucer's, and that they "had been conversant in the same studios," was insistent upon the natural development of English poetry and a line of inheritance from Chaucer to himself and his contemporaries. He discovered in the poems of "the father of English poetry" many verses "of ten syllables, and the words not much behind our present English; as, for example, these two lines in the description of the carpenter's wife:

> "Wincing she was as is a jolly colt,
> Long as a mast and upright as a bolt."

He was, it is true, speaking then rather of the supposed roughness of Chaucer's verse and of his use of obsolete words than of any imagined similarity between his couplets and Waller's; but Dryden's opinion clearly was that the English poetry of his day was wholly native; and he who was the first great English critic, who has been called the first of English men of letters, who undoubtedly was more deeply read in English literature than any other Englishman then living, gave the credit of reforming English versification to Waller and Denham.

Now what were the causes of this strange change in the form and spirit of poetry which began so early in the seventeenth century while Elizabethan poets were still upon the stage? Poets are creatures largely of their environment, and when they make a strong impression upon their times it is because they express earlier or better than others the temper and thought of their day. Discarding the theory of French influence, then, we must look for the causes of so remarkable a phenomenon to the intellectual or social movements preceding or accompanying it. Genius knows no law of succession, and the appearance of a compelling genius often seems as unaccountable as a miracle; but the decline of the impulsive and creative spirit of a people to the artificial and mechanical is generally plain and gradual and is to be accounted for not in radical changes in men's natures but in the existence of new centres of human interest.

It was such a decline which began early in the seventeenth century following the sudden, short-lived efflorescence of passionate poetry among the Elizabethans. Men were as passionate under James and Charles as under Elizabeth, and they were more strongly because more sincerely moved out of their ordi-

nary feelings; but the turbulence of their passions ran in new channels. Their hearts were in their religious and political controversies. They were no longer curious observers of the external world, but of the inner, and as their eyes turned from the greater world to the smaller of self-interest, their horizon narrowed and the spirit dwarfed. It was under these conditions that the new school of poetry had its obvious beginning. A new spirit was beginning to move English minds. A new England was about to arise, and, in some respects, a new Englishman. Modern industrial England was beginning, or about to begin, to lay its foundations. A rapid increase of wealth among the people was soon to establish the "money interest." The Puritan movement was nursing a democratic spirit which modified greatly the ideals of English society. A lively sense of peril to church and to private property united noble and commoner in an attack upon prerogative with the direct result of the Commonwealth.

It was the Puritan and the political movements which most obviously affected English thought, but the new philosophy of Bacon was working with them to the same ends. It inspired scholars both in the universities and at London to question popular beliefs and to explore the field of nature, awakening a scepticism which was to give England a Locke and beget the deism of the next century. A thousand controversies were awakened. Authority was attacked in all its seats, and search was begun for truth, for new foundations of belief in statecraft, theology and the physical sciences.

Now the language of science and of controversy is prose. When images rather than facts preoccupied the mind, and the Latin was deemed the true language of the scholar, English prose was quaint or stately, often overburdened with quotations from the classics, not seldom pompous or obscure; but now, when the practical Englishman supplants the romantic, and the soul struggles to deliver itself of its message in the most convincing way, we find him gradually abandoning the style of his fathers and slowly polishing his sentences in the heat of controversy. The change first appears naturally in the Parliament where Sir John Eliot surprises his fellows with a new order of forensic eloquence and gives them their first examples of direct, simple, vigorous statements of fact and reasons. The new spirit steadily permeates English scholarship until English prose finds its high-

est expression of that century in the writings of Tillotson and Dryden.

In such an atmosphere a poet who would speak the language of the day and command the attention of a people given up to a search for truth and the pursuit of holiness, must be in great measure didactic, and that is precisely what Waller was, though he aspired to a lyric wreath: and it is significant that the poet who was to affect profoundly for a hundred years the poetry of England was a Parliament man and one of the first debaters of the House of Commons.

In other words, the English people lost their relish for poetry and developed a passion for prose. Their "love of concrete imagery" so characteristic of the Elizabethan gave way to their love of fact. They ceased to be rhapsodical and became argumentative. Imagination withered and reflection flourished. Those poets who believed themselves to be the heirs of the mantles of the greater singers of Elizabeth imitated chiefly their weaknesses. To a realization of their absurdities Mr. Gosse and others have attributed the revulsion in taste which established the authority of Waller.

Well-known facts have been recited at some length not only to account for Waller and in some degree for the directness, simplicity and lucidity of expression which characterized his school, but also for his ready acceptance by English readers. His style of versification was exactly suited to the mental mood which was becoming a general habit of mind of many Englishmen. To a sober, deadly earnest and militant soul convinced of the existence of great social evils and national peril and resolved to end them, the Elizabethan singers had become triflers, their lyric power weakness, and their revelations of truth in the lightning flashes of genius only foolishness. Waller's method lent itself to the fuller and better expression of the subjective spirit of the age, and therefore it was welcomed and developed until it broke down under the weight of rhymed systems of philosophy as the Elizabethan method was already breaking down under the burden of conceits.

Why Waller adopted the heroic couplet in constructing his chief poems is not hard to understand. It was a common form of English verse. As it is to-day, so then it was the natural vehicle of didacticism. Chaucer had used it. Spenser had em-

ployed it. The satirists had found it the best weapon of their warfare: and the poet who to-day should set himself at the task of writing a poetical address or a satirical poem of any length would find it hard to resist the attraction of the heroic couplet whose dignity, flow and balanced clauses, with the music of recurring rhyme, still fascinate in spite of a monotony that in time must weary the ear.

Now Waller was not first of all a poet. He was first a rhetorician, an orator and a politician who found congenial the turmoil and intrigue resulting from the life-and-death struggle between king and Parliament. He was a reformer to whose mind the new political ideas appealed—in short, a man of affairs of the day. Naturally as the result of his own temperament and of his environment he fell into didacticism, and when he set up as a poet, led by instinct, he adopted the rhymed pentameter couplet as his proper medium of expression.

But Waller's couplets differed from those of his predecessors in two important particulars. As a rule the older writers had these faults unpardonable in the eyes of the wits of Queen Anne—their versification was rugged and unrestrained. A single sentence would be carried or a thought pursued through many consecutive verses, often ending in the middle of a line. This tendency to overflow led to slovenliness in construction, sometimes to wearisome prolixity, and not infrequently to obscurity. In Waller's verses we discover for the first time in compositions wholly in heroic couplets an evident and a sustained effort to avoid these faults. His words are chosen with care for the smoothness and harmony of his lines, and rarely is he guilty of an overflow. In very early verses we find him restraining his thought to each couplet, as in these:

> "Where e'er thy Navy spreads her canvas Wings,
> Homage to thee, and Peace to all she brings:
> The French and Spaniard when thy Flags appear
> Forget their Hatred and consent to fear."

These lines as they appear in the first authorized edition of Waller's poems published in 1664 might have been written by Joseph Addison, yet unless, as Johnson supposed, they were polished by the poet before their first surreptitious publication in 1645, they were among the first-fruits of his youthful muse.

Now it may be that a poet shall arise, by force of genius,

without artistic forebears, the singular product of unprecedented conditions, but it is not probable that there ever was or ever will be such a one, no matter how impossible it may seem to account historically for him. Before Homer sang the gods were. And Waller was only a man of talent. With all due respect for the great men who sat at his feet, as some of them sat also at the feet of the seventeenth-century Pindar, he is not now to be considered as more than a versesmith who hammered out couplets remarkable for the time, which were to affect profoundly the course of English poetry, but have value to-day chiefly for the student. He was competent in his trade, but Dorothy Sidney, as has been said, was a better judge than Waller's imitators, of the quality of his cold and polished verses to Sacharissa.

On the authority of Dryden we know that Waller acknowledged Edward Fairfax, an Elizabethan poet, as his literary master. In Dryden's preface to the fables he says that "many besides myself have heard our famous Waller own that he derived the harmony of his numbers from the 'Godfrey of Bulloign' which was turned into English by Mr. Fairfax." Johnson repeats this, adding that by his own nicety of observation as well as the perusal of Fairfax's "Tasso," "he had already formed such a system of metrical harmony as he never afterwards much needed or much endeavored to improve." And it has been recorded—by Johnson, perhaps—that Waller was so entranced by Fairfax's translation that he committed large portions of it to memory.

Fairfax's "Tasso" was first published in 1600. Two reprints were made in the seventeenth century, both of them said to be inaccurate. A fourth edition with the Elizabethan spelling somewhat modernized appeared in 1749. From this later edition such extracts as are here given have been taken. The stanza used by Fairfax is composed of six lines alternately rhyming and a closing rhymed pentameter couplet as follows:

"The sacred Armies and the godly Knight,
Who the great Sepulcher of Christ did free,
I sing: much wrought his Valour and Foresight,
And in that glorious War much suffer'd he:
In vain 'gainst him did Hell oppose her Might,
In vain the Turks and Morians armèd be;
His Soldiers wild, to Brawls and Mut'nies prest,
Reducèd he to Peace, so Heav'n him blest."

A similar versification was adopted by Spenser in composing his

"Muiopotmos," or the "Fate of the Butterfly," published nine years before the "Tasso." There are some things about this poem of Spenser's which lead one to think that Fairfax studied it in composing his own verses, but it is rather to the dissimilarities of the two that attention is now to be paid, and for this purpose these stanzas are taken from it:

"I sing of deadly dolorous debate,
Stirr'd up through wrathful Nemesis' despite,
Betwixt two mighty ones of great estate,
Drawn into arms, and proof of mortal fight,
Through proud ambition and heart-swelling hate,
Whilst neither could the other's greater might
And 'sdainful scorn endure: that from small jar
Their wrath at length broke into open war:

"The root whereof and tragical effect
Vouchsafe, O thou, the mournfull'st Muse of nine,
That wont'st the tragic stage for to direct,
In funeral complaints and wailful tine,
Reveal to me and all the means detect,
Through which sad Clarion did at last decline
To lowest wretchedness: and is there then
Such rancour in the hearts of mighty men?"

Compare with these typical stanzas of Spenser almost any consecutive stanzas of Fairfax and there will be observed in the latter a great advance toward the simplicity of construction and the restraint of the writers of the succeeding epoch. In Spenser's verse the tendency to overflow is strong. In most of the stanzas of "Muiopotmos" the reader is hurried along almost breathlessly sometimes to the end of each, and in the two quoted, through, in effect, fourteen verses and part of the fifteenth. Consider now these stanzas taken from the twelfth book of the "Tasso" in which the fight between Clorinda and Tancred is described:

"He deem'd she was some Man of mickle Might,
And on her Person would he Worship win;
Over the Hills the Nymph her Journey dight
Towards another Port, there to get in;
With hideous Noise fast after spurr'd the Knight;
She heard and stay'd, and thus her Words begin;
What Haste hast thou? Ride softly; take thy Breath;
What bringest thou? he answer'd—War and Death.

"And War and Death, quoth she, here may'st thou get,
If thou for Battle come; with that she stay'd:
Tancred to Ground his Foot in Haste down set,
And left his Steed; on Foot he saw the Maid;

Their Courage hot, their Ire and Wrath they whet,
And either Champion drew a trenchant Blade;
Together run they and together struck,
Like two fierce Bulls whom Rage and Love provoke.

"Shame bred Desire a sharp Revenge to take,
And Vengeance taken gave new Cause of Shame;
So that with Haste and little Heed they strake;
Fuel enough they had to feed the Flame;
At last so close their Battle fierce they make
They could not wield their Swords; so nigh they came
They us'd the Hilts, and each on other rush'd,
And Helm 'gainst Helm, and Shield 'gainst Shield they crush'd."

There are in Fairfax's translation 1,917 stanzas, of which those just quoted are in the matter of verse construction fair representatives. It will be noticed that, in marked contrast with those of Spenser, they are free from the breathless overflow so common in Elizabethan poetry, and the expression of thought rests naturally and almost invariably with the completion of each unrhymed couplet, or of a single verse. Examination of the poem will show that this restraint is not occasional but constant, and will compel the conclusion that Fairfax was deliberate and purposeful in its employment. If this be true he is alone among the poets of Elizabeth's time to use this style of verse construction in a poem of great length.

The simplicity of Fairfax and his restraint are even more marked when brought in comparison with the looseness of the verses of Daniel, from whose "Civil War" the following part of the description of the death of Talbot are taken:

"So much true resolution wrought in those
Who had made covenant with death before,
That their small number (scorning so great foes)
Made France most happy, that there were no more,
And Fortune doubt to whom she might dispose
That weary day; or unto whom restore
The glory of a contest dearly bought,
Which scarce the conqueror could think well got.

"For as with equal rage and equal might,
Two adverse winds combat with billows proud,
And neither yield (seas, skies maintain like fight,
Wave against wave oppos'd, and cloud to cloud);
So war both sides with obstinate despite,
With like revenge; and neither party bow'd;
Fronting each other with confounding blows,
No wound one sword unto the other owes."

Compared with Daniel, Fairfax is lucidity itself: and if, as Dryden says, Waller owned that he derived the harmony of his numbers from the "Godfrey of Bulloign," and if Waller was so captivated by that poem that he learned it by heart and used to repeat large portions of it, is it hard to believe that it strongly influenced his own composition? That the talented young man whose great wealth permitted him to indulge his taste in the study of the poets and the inditing of courtly verses recognized in his favorite and master a departure from the style of the older poets? And, seeing its great merit—that it kept the poet from obscurity and cumbrous sentences—he deliberately imitated Fairfax?

But Waller did not employ the stanza of Fairfax. He composed his chief poems in the heroic couplet. The attempt has been made to show why he did so; let us see whether he may not have acquired some of his dexterity in framing his couplets, as he had probably acquired his taste for lucidity and simplicity from Fairfax. Here are some characteristic couplets from Waller's poems:

"Ships heretofore in Seas like Fishes sped,
The mightiest still upon the smallest fed.

"He rent the Crown from vanquisht Henry's Head,
Raised the white Rose and trampl'd on the red.

"They Roses seem which in their early Pride
But half reveal and half their Beauties hide.

"So proud a Fabric to Devotion given,
As once it threat'neth and obligeth Heaven."

Compare with these couplets, which excited the admiration of Waller's contemporaries and successors on the English Parnassus, the following used by Fairfax in closing his stanzas:

"Thus he appear'd, and thus be 'gan to teach,
In Shape an Angel, and, a God in speech.

"A worthy End fit for a Man of Fame
Who dying slew, and conquer'd overcame.

"They make this Fortune who are stout and wise;
Wit rules the Heav'ns, Discretion rules the Skies.

"And make your Hearts resolv'd in all Assays
To win with Honor and to die with Praise."

Are such strong resemblances merely accidental? It might well be so if such couplets were few, but many may be culled from

the Elizabethan poet's work of strong, unmistakable family resemblance to those of the younger writer, and now and then may be found one which in sententiousness, simplicity and swing is strongly akin to Addison's or Pope's. How very far in advance of the usual Elizabethan couplet Fairfax's are, let these of old Chapman's tell:

> "Thus charg'd he: nor Algicides deni'd,
> But to his feet his fair wing'd shoes he ti'd,
> Ambrosian, golden; that in his command
> Put either sea, or the unmeasur'd land,
> With pace as steady as a puff of wind."

If the facts which have been presented are sufficient to establish the theory of the writer, these conclusions must be drawn:

First, the revolution of taste in the seventeenth century and the rise of the classical school of poetry was an independent, native movement unaffected in its beginnings by a similar movement in France.

Second, that it was largely if not entirely due to the political and religious controversies which absorbed public attention, turned English writers into pamphleteers and created a national relish for didactic composition.

Third, that, as a result of this new English mood, the heroic couplet became the natural and popular medium of poetic expression, and that it was reformed by Waller, who had learned the art of restrained and lucid writing from the Elizabethan, Edward Fairfax.

But did Fairfax write wholly from inspiration and without a model? Probably not, although it may be difficult to trace the influences by which he may have been affected. Spenser most probably was the master of Fairfax—we know little about the poet which we may rely upon as certain—as Chaucer was Spenser's; and if, as conjectured, Spenser's "Muiopotmos" was studied by Fairfax when he was composing his own stanzas, it may be that he there learned to avoid the overflow; for certain of its stanzas are as restrained as any of Fairfax's and stand in strong contrast with those quoted above.

The conclusions arrived at raise the question: How is the curious fact that there existed in France and England two literary movements almost identical in character but wholly in-

dependent, to be accounted for? Mr. Gosse contented himself with the supposition that the spirit of reform was "in the air." As a matter of fact, not only a spirit of reform, but a spirit of liberty was in the air, and the same social and spiritual unrest was agitating the French and English alike. The long religious wars which tore France into factions and ceased only when Henry IV, the Protestant leader, mounted the throne, and the bitter political struggles between the nobles and the two cardinals were doing for France exactly what the Puritan and political movements did for England. In France, too, a sceptical philosophy arose, and the democratic impulse, suppressed during the long and brilliant reign of Louis XIV, was to result as in England, but long afterward, in a bloody revolution and a republic. As the same influences affected English letters, so we may believe they affected literature in France.

WILLIAM W. GAY.

NEW ZEALAND: ITS PROBLEMS AND POLICY.

BY THE RIGHT HON. SIR ROBERT STOUT, CHIEF JUSTICE OF NEW ZEALAND, AND THE RIGHT HON. SIR JOSEPH GEORGE WARD, PRIME MINISTER OF NEW ZEALAND.

NEW ZEALAND.

If one is to judge by newspaper and magazine articles, and by the frequent visits of American and European economic experts to New Zealand, this Dominion has attained some celebrity as a place of social experiments. To the New-Zealander this position of New Zealand does not loom large in his conception of his country. We have made social experiments. What their result may be will require many years of trial to show. But if you ask a New-Zealander about his country, he will not boast of these experiments, nor perhaps even mention them. The New-Zealander loves his country, and he will tell you that it is a country of beauty and of most varied scenery. It has the mountains of Switzerland, the fiords of Norway, the lakes and islands of Finland, the woods of Canada and the plains of Central Europe. It has, in short, every variety of physical feature. It has one of the most healthy climates in the world, and it has everything suitable for the greatest and highest enjoyment of life. It has a history, too; and its flora and fauna are in many respects unique. Its aboriginal inhabitants are not excelled by those of America or of other parts of the world in which white races have come in contact with men and women of a different color.

The area of New Zealand, including the surrounding islands, is 104,471 square miles—that is, about the size of the following States: New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Delaware, Maryland and Vermont. There are only four States in the United States larger than New Zealand, viz: California, Texas, Montana and Nevada. The United Kingdom

of Great Britain and Ireland only exceeds it in extent by about 17,000 square miles. It has a considerable stretch of territory, for it consists of two large, long-shaped islands, lying between 34 and 47 degrees of south latitude. Its coast-line, through the indentations of fiords and bays and harbors, is some thousands of miles in extent. It has in the far north a sub-tropical climate, whilst in the south its climate resembles that of the south of England. It is a well-watered country, having in both the North and South Islands high mountains and long ranges, the mountains in the North Island being lower in height than those in the South. Its highest mountain in the South, Aorangi, or Mount Cook, ascends to the height of 12,349 feet; in the North Island the highest mountain, Ruapehu, is a little over 9,000 feet high. There are very large glaciers; in the South Island, the Tasman glacier covering an area of about 14,000 acres. This is larger than the Alletsch glacier in Switzerland. Norway's fiords do not equal the New Zealand sounds. Milford Sound, for example, is long and narrow; near the head of the sound it is more than 200 fathoms deep, with mountains rising almost precipitously from the water's edge to a height of 6,000 feet. It is also a country of lakes, especially in the South Island. It has also a large thermal district more than 100 miles in length, where geysers, hot springs, etc., are continually met with. For scenery, there is perhaps no country in the world that has such variety and such beauty; and if it be remembered that the heats of summer are never excessive nor the colds of winter, that all round the sea-coast and over more than half of the North Island snow is never seen, whilst in the South Island snow does not lie on the lower grounds except occasionally in winter for a few hours, and that the frosts are never excessive, it will be seen that it possesses a pleasant and equable climate. It is not subject to the droughts that occur in Australia, and yet it is a country of blue skies and sunshine. The instruments that have registered the sun's hours at Gisborne, Napier, Nelson and Christchurch show that the average sunshine is between fifty and sixty per cent. of the possible sunshine. This is a higher average than in Italy.

Let me state some of the things that have been done to show how some public affairs are managed in New Zealand, and from these may be gathered the aims of its people. The population of New Zealand is small. It has not as many people as

one of the larger cities of the United States. Its estimated population on the 31st of December, 1906, was 968,797. This included about 60,000 aboriginals and inhabitants of the Pacific Islands annexed to New Zealand. It may be, therefore, that what may be successful with such a limited population may not suit other countries. Being far removed from other countries and near what may be termed the centre of the water hemisphere, we are in a unique position for making social experiments. Australia is 1,200 miles away, and to the east, save the islands that dot the Pacific, there is no land between us and America, which is three weeks distant by steamer.

The first contrast that may be made with other countries is that the Government has kept control of what may be termed "the franchises." It controls large quantities of land. It is the owner of all our railways, and the principal hot springs in the thermal regions are Government property. In the municipalities, the tramways are with one exception owned by the cities in which they are operated. The gas-works and water-works and electric lighting are general municipal property. We have municipal theatres; and the tendency is to increase State action where in most other countries private enterprise is left uncontrolled. We have a Public Trust Office that acts for private persons as trustee, as executor of wills and as administrator of intestate estates; it had recently four and a half million pounds' worth of property and money under its control. The fight of which one reads for the granting of "franchises" in State and municipal life in the United States is unknown amongst us. The doctrine of "eminent domain" in lands is not only recognized but acted upon, for the Government every year is taking large areas of land from private persons, paying to them compensation therefor according to its value, and subdividing these areas into small allotments and offering them for lease to settlers. The Government also in many instances directly constructs its railways without the intervention of a contractor.

One of the experiments that have led to much discussion outside of New Zealand is the Arbitration Act, or the mode of settling differences between employers and employed as to wages and labor conditions. It cannot be said that strikes have been entirely abolished, for on several occasions the awards of the Court have not been acted upon by the workmen. Strikes have

been minimized, and the price of labor has been ascertained not by contract but by "status" through the decision of the Court. Perhaps the benefit of the Arbitration Act has been mainly the creation of a public opinion by deciding what it is fair or right for the employers to pay to the workmen.

Our people generally are a law-abiding people, and so far as crime is concerned, especially serious crime, perhaps there is no part of the world freer from criminal taint. The sanctity of human life is felt and realized, and we read with surprise how criminal procedure in the United States differs from our own. No crime where the criminal is caught goes unpunished for any length of time if the jury convicts the accused. The postponement of a trial to a period more than three or four months after the arrest of a criminal is unknown; and, if there is an appeal to the Appeal Court in a criminal case, the matter is settled within a month or two after the trial. Our Court of Appeal meets three times a year, and there are no remnants. The prisoner has six peremptory challenges on a jury's being empanelled; and challenges for cause, such as seem to take place at almost every criminal trial in America, are almost unknown. During my forty years' connection with the legal profession, I have known of only two challenges for cause and those occurred twenty years apart. I have never heard of the empanelment of any jury in any criminal trial in New Zealand taking more than twenty minutes. If there is at any time a delay even in bringing civil cases to a final determination in the Court of Appeal, the parties themselves are responsible for it. Justice is not delayed in this Dominion.

It may be asked, How stands the wealth of the country, its productions? and its intellectual life? I propose to say a few words about these. First, as to the wealth of New Zealand. As our railways and a considerable area of our lands are Government property, our private wealth cannot be fairly compared with that of other countries. In England, America and elsewhere, the railways, tramways, etc., are privately owned. That is not the case with us. Our total private wealth on the 31st of December, 1905, was estimated at £258,710,000, or, according to the population existing at that date, about £300 per head. Our public wealth, consisting of Crown lands, local authorities' lands, educational lands, church lands, etc., along with the Govern-

ment railways, telegraphs, light-houses, harbor and water-works, amounted to about £62,000,000, making altogether nearly £321,000,000 of wealth in our country, and if the valuation had been made on the 31st of December, 1907, there would have been a very large increase, for land has risen in value very much during the last two years, mainly through the increased prices of our products. Though we have this large amount of private wealth, we have no millionaires among us, and it is hoped we shall never produce that class of settler. We are yet mainly a pastoral people and our stock reports show that we have in round numbers 20,000,000 sheep, nearly 2,000,000 cattle, about 350,000 horses, 250,000 pigs and over 3,000,000 poultry. We have not developed what may be called the higher manufactures to the same extent as older countries, but we have over four thousand establishments, omitting Government railway workshops and printing-offices, and over 56,000 persons engaged in factories, the wages paid being about £4,500,000 a year.

As to the training of intellect, we have made very adequate provision. Every district has a State elementary school. Education is free, compulsory and secular. The number of schools of all kinds, including private schools, at the end of 1905 was 2,148, with 4,868 instructors, and 157,000 pupils. There were, in addition, native schools, that is, Maori or aboriginal schools, numbering 105, with 6,515 scholars. Of secondary schools—including College, Grammar or High Schools, aided or endowed—there are twenty-seven in the Dominion. There are four University Colleges—one in Auckland, one in Wellington, one in Christchurch and one in Dunedin. There is a medical school in Dunedin; there are two mining schools—one in Auckland and one in Dunedin; an engineering school and a school of agriculture in Canterbury, and a school of music in Auckland and in Canterbury, whilst the University Colleges provide for the teaching of arts, sciences and law. There are also several private theological colleges. The University of New Zealand is an examining body, granting degrees and awarding scholarships. In every town of any size there are the usual societies for mental and physical culture. Friendly Societies are well represented throughout the Colony, and they do not seem to have decreased, though we have an old-age pension scheme by which every one who has attained sixty-five years of age and has lived twenty-five years in the

Colony is entitled to a pension of ten shillings a week if he is not in receipt of any income. If he is in receipt of an income not exceeding £52 pounds a year, his pension may be somewhat reduced according to the income that he receives. The amount spent on old-age pensions last year was about £320,000. The New Zealand people are said to be fond of amusements and sports, and they have proved their ability to play football and cricket. They have many other pastimes; and, as the main rivers have been stocked with trout, and deer have been acclimatized, there is no country where sport is so popular.

In order to prevent the accumulation of land in the hands of a few, we have passed a drastic land-tax law, the provisions of which are as follows: a tax for a year by way of ordinary land-tax is one penny in the pound. But, in addition to this, we have the graduated land-tax, by which, where the total unimproved value of all the land of the taxpayer is not less than £5,000, but is less than £7,000, he has to pay an additional one-sixteenth of a penny in the pound on the total unimproved value. If his property is not under £7,000, but is under £9,000, of unimproved value, he has to pay an additional two-sixteenths of a penny in the pound as his graduated tax, this, as in the other case, being payable on the total unimproved value. Each £2,000 means that he has to pay graduated tax added to by one-sixteenth of a penny in the pound, the tax being payable always on the total unimproved value. This goes on up to £15,000, and from there the sixteenth is added for every £2,500 up to £30,000. From £30,000 to £40,000 it is added for each £5,000. Properties between £40,000 and £41,000 are taxed at the rate of eight shillings for every £100 of unimproved value. For every £1,000 over £40,000, the percentage is increased by one-fifth of a shilling, the tax so assessed being payable, as before, over the total unimproved value. If the land was not "business premises," as defined by the Act, it would be taxed at twenty-five per cent. more than the percentage of eight shillings in the £100, and the graduated tax on farm land worth £40,000 would thus be £200, or a total of £366-13-4. A property worth £80,000 would pay sixteen shillings in the £100, or, if not business premises, twenty shillings in the £100. The graduated tax on a farm property the unimproved value of which was £80,000 would thus be £800. This is four times the graduated tax on £40,000, whereas

the ordinary tax would be only twice as much. The graduated tax reaches its maximum at £200,000, the percentage being then two pounds, *plus,* of course, the twenty-five per cent. additional for other than business premises. Absentees pay an extra fifty per cent., and to escape being taxed as an absentee one must have been at least half of the time in New Zealand during the preceding four years. No disposition is effective so long as possession is retained, and there are provisions regarding mortgages to prevent evasion of the tax.

It will, therefore, be apparent that the Government is trying to promote small settlement in two ways—first, by compulsorily purchasing the land of large owners, subdividing and leasing it for long terms of years, with right of renewal, in small areas; second, by discouraging the holding of large blocks through the imposition of the graduated tax.

New Zealand has followed older countries in factory legislation, restricting the hours of work and insisting on proper sanitary provisions for the factories, etc. If the factory legislation, coupled with the decisions of the Arbitration Court on the conditions of labor, were examined, it would be found that New Zealand perhaps provides for shorter hours of labor than any country in the world, and its wages are certainly not less than those paid in any country in the world. There are many social reforms that have been aimed at. We have dealt with the criminal class by the First Offenders' Probation Act and the Habitual Criminals Act. The First Offenders' Act provides that a person, on committing a first crime, if of previous good character, is not imprisoned, but is let out on probation under strict conditions. This Act has been a great success; no less than eighty-four per cent. of persons treated under it have not subsequently come before any Court for any offence. Of the remaining sixteen per cent. five and one-half per cent. were rearrested, two and one-half per cent. absconded, seven and one-half per cent. are still under probation and the balance account for deaths and being in hospital. The Habitual Criminals Act declares that, if a person is convicted a certain number of times, he may be declared a habitual criminal, and he is not released from gaol until it is proved that he is likely to be free from crime for the future.

New Zealand has dealt with the alcoholic question, for it

has a local option law, by which every three years on general election day a vote is taken as to whether licenses are to continue or to be refused or to be reduced. A majority of the electors can reduce licenses. If three-fifths of those who vote cast their ballots for no license, then no license can be issued in that electoral district. There are several districts in the Colony in which no license can be issued.

We have in New Zealand a country with a temperate climate, of much physical beauty and with everything to produce a stalwart race of people. The people are mainly British in origin and have come of good stock. So far the young of the race seem to be as strong and stalwart, especially in the South Island, as their ancestors; and, though those in the extreme north have not the ruddy color of those further south, they do not seem lacking in enterprise and physical ability. It is too early yet to dogmatize about what the future of the race may be, or how they may vary from their ancestors of the Mother-Land or from their kindred in other colonies. The New-Zealander looks, however, to the future with every hope that his race will not be behind any of the other white races of the world.

ROBERT STOUT.

NEW ZEALAND AS IT IS.

IN a world where, for social and political reasons, false issues are continually being presented to the public for acceptance, it may be well at times to give authoritative statements even of a general character to those who wish to have some solid ground on which to base their opinions. This is particularly the case in regard to New Zealand. Its isolated position in a geographical sense and its almost unique position in regard to social economics make it desirable that strangers should be able to select from the cloudy mass of assertion and counter-assertion statements bearing the signet of those who are in a position to be responsible for their utterances.

New Zealand has lately felt stress from two distinct forces bearing upon her from long distances. She has been affected financially (though in comparatively slight degree) by the depression-waves which the Wall Street panic sent outward in wide circles far beyond the United States. She has also been disturbed by

the vague, but serious, unrest which agitates the ranks of the workers in all civilized countries, and which is felt even where the lot of the workers has been ameliorated in a hundred considerate and sympathetic ways. In spite, however, of these temporary vibrations (having their origins beyond seas), the Dominion of New Zealand was never in a more prosperous condition than now, and never gave more solid ground for the certain hope in her future which those who love her cherish.

It is said by enemies, within and without our island boundaries, that we borrow too largely, and that our National Debt is increasing. They are careful, however, to conceal the fact that a very large proportion of our loan-money is accepted for reproductive purposes — that is to say, for purposes which benefit both the lender and the borrower. Since the "Progressive Ministry" came into power until recently, from 1891 to 1908, we have borrowed $138,000,000. Out of that sum, however, $91,000,000 is invested in interest-bearing securities or interest-bearing activities, the cost of which does not fall upon the general taxpayer. Therefore it is idle to talk of this amount as if through it the ordinary citizen is bending under a burden of taxation; the loan-moneys when expended have been disbursed in such directions that the citizen of New Zealand walks cheerfully and alertly, knowing that his light load is like that of some farmer carrying the small sack of seed-corn that will enable him and his children to reap the harvest of the future. Twenty and a half million dollars have been paid to provide struggling settlers and farmers with cheap money, money raised at low interest on the national security, and loaned to farmers to allow them to throw off strangling mortgages and to improve their properties. They pay their small interest gladly, very gladly, and no part falls on the general taxpayer. So, too, under "Lands for Settlement," big private estates have been bought by the Government out of money expressly loaned for this purpose and on the security of such lands themselves. The interest on these loans is paid from the lease rents of small farmers now settled on what were once the princely properties of single individuals. Twenty-nine and a half million dollars have been thus expended. Not only does the whole country benefit indirectly by the settlement and growth of thousands of such families, but no part of the interest is paid by the general citizen. I could extend this statement in detail till the whole of the

ninety-one millions spoken of is accounted for; but it must be acknowledged that, when New Zealand is called a borrowing country, sufficient credit is not generally given to the fact that much of the interest is self-supporting and will in a short time automatically disappear by means of sinking-funds.

In the years during which our Progressive Ministry has held power, the exports rose from $47,000,470 in 1891 to $89,201,730 in 1906; the imports from $32,519,245 in 1891 to $76,057,015 in 1906. That fact alone would show the great energy and prosperity of a people that only in 1907 for the first time raised its number to a million inhabitants. The general welfare of the people cannot thoroughly be gauged by any show of figures, because much of it arises from indirect influences guided by State impulses. Thus, as soon as the railways and other State-owned properties pay above a certain interest on their construction, instead of such gains being handed over to private persons as dividends, the general public benefits by greatly reduced fares and freights. Thus the railway journey (second class) of 250 miles, which in 1900 cost six dollars, in 1908 cost only $3.50. A bale of wool was carried one hundred miles in 1890 for $1.78, but in 1908 for $1.34; and there are special concessions as to the transport of artificial manures, etc., for farmers. Such is the case also with the post-office, telegraphs, telephones and other means of communication. A letter weighing half an ounce sent from New Zealand to Great Britain in 1890 cost twelve cents; in 1908 a full ounce letter could be sent to any English-speaking country for two cents. Yet, although this Colony was the first to try the daring experiment of a two-cent postage all over the world, our post-office handed over $653,070 last year to the Treasury and during the last ten years yielded $3,865,000 of profits. We have bank deposits as follows:

	1897.	1902.	1907.
In the banks	$71,452,560	$86,158,835	$117,585,555
In the savings-banks	27,600,400	39,384,385	64,125,315
Total	$99,052,960	$125,543,220	$181,710,870

I am aware that much of the interest taken in regard to New Zealand by our cousins in the United States centres round our advanced Labor Laws, and particularly round the principle known as "compulsory arbitration." The past session of Parliament has

had probably its most severe task in endeavoring to lift the law of industrial arbitration to a higher level than it had previously occupied. We found that it was with great difficulty that legislative pronouncement could fix with lasting effect any system applying fairly to so flexible and liquid a subject as modern industry. The Act passed in 1894 had for about twelve years a strong influence for good. It so modified the conditions of employer and worker that great benefits were received by both parties. As time went on, it was found that there was too great rigidity in the legal process. Dissatisfaction was widely expressed, and the long-banished strike began to rear its unwholesome head once more. Too much stress had gradually been laid on the compulsory portion of the Act, and too little attention given to conciliation. The new statute endeavors to "get back to conciliation." For this purpose official conciliators are being appointed to settle trade disputes in their earliest stages if possible, or with the aid of a Council of Conciliation appointed by the contending parties. This Council has no judicial powers; it is purely conciliatory, and only on its failure does the case proceed to the Arbitration Court. Strikes and lockouts involving industrial unions registered under the Act are made punishable by fine and by attachment of part of wages, but strikes of persons not working under award or industrial agreement are without penalty. We trust that by means of these amendments of the Act the primal intention of its promoters may be restored, viz.: to make compulsion a last resource and one only to be invoked under rare and extreme circumstances.

The progress of many of our State-governed institutions has been remarkable. Government railways, telegraphs, telephones, coal-mines, life-insurance, accident-insurance, fire-insurance, public trusteeship, old-age pensions, savings-banks, state pensions for all Government employees, etc., have all been successful and flourishing ventures not only from the financial point of view, but from their effect on the comfort and happiness of the people. We hope still to find many ways of perfecting these, and of finding out new paths of usefulness, feeling as untrammelled in the adoption of the best ideas of other countries as we are ready to try new lines of action of our own if they appear to lead in the direction of the star we steer by.

JOSEPH GEORGE WARD.

A FALSE SEX EMPHASIS.

BY ANNA CADOGAN ETZ.

MAN has assumed from the beginning that the nature of woman was something quite foreign to the nature of man. As this assumption was one of his earliest, it has also been the one to which he has clung with the most tenacity. Science has been able to set him right on other mistaken hypotheses, but as to the nature of woman his vision seems clouded with a perpetual haze. He admits with candor that a female oak must be an oak, that a male ivy must be an ivy. But he is conscious of no treason to the facts of natural history in persistently reiterating that the relation between woman and man is that of the ivy to the oak.

When men judge men, the conditions under which they work and live are recognized as important factors in moulding their characters, but in judging women any observed difference from the known characteristics of men is at once ascribed to sex, and the question is not asked, Would not the economic conditions which have controlled the lives of women produce similar traits of character in any class regardless of sex? Two necessary prerequisites of a correct understanding of this question are seldom studied with an impartial mind: the first is the history of the relation of the sexes from the beginning of civilization, and the other is the limitations of the power of sexual selection as compared with the forces of natural selection and heredity.

There are certain basic facts concerning the action of sexual selection which serve to discredit the general assumption that the known differences in mind and temperament of men and women are due to the differences in sex. The exhaustive researches of Darwin led him to these conclusions: that sexual selection among mammals works with uniformity; that it is the male who usually departs from the standard as the result of this force; that as con-

cerns man, it operated only in remote ages; that throughout the whole mammalian world equal transmission of character has prevailed; that otherwise, it is probable, man would have been as superior in mental endowment to woman as the peacock is in ornamental plumage to the hen.

The combination of sexual selection as the initial force with the principle of equal transmission works strange transformations. Man was originally a hairy animal. In the process of denudation the female led the way as the result of sex selection. The effect of heredity is seen in a race tending toward a hairless condition, and in regard to one aspect, man in the lead. Even the superior strength of man, which he acquired as the result of sex selection (the strongest male defeating his rivals and securing the best female) and which caused the initial subjugation of woman, is on a fair way to obliteration in these athletic days. In any assembly there are to be seen numbers of women larger than the average man. Indeed, this superiority has always been at the mercy of the conditions of life. Men prate of weakness as a strictly feminine attribute. The Indian, who in primitive times sauntered along burdened only with the weapon which belonged to his epoch, noted no such sex attribute in the squaw who trudged behind him carrying all the baggage, lodge poles and cooking utensils to their new camping-place. The Eskimo, who uses a light man's boat while the women man the heavy freight and passenger boats, talks not of weakness as a feminine attribute. The peasant woman of Europe, who tills the soil so that the flower of European manhood can form the armed neutrality of that Continent, exists in defiance of this theory of feminine weakness.

The superior strength of man has been exploited in the interests of war; but in the development of the industries of the world the woman, who originated them and carried them on during dreary centuries, has, as the result of natural selection, that is—in adapting herself to the conditions of life—been required by stern necessity to develop a strength and certainly a power of endurance by no means inferior.

The Spartan women of ancient times, as well as the athletic product of our women's colleges, teach the lesson of the feebleness of the powers of sexual selection as compared to the wonderful adaptability of the human body in its responsiveness to the conditions of life—in which respect there is no sex distinction.

That immortality itself was a sex attribute was a mooted question for many centuries. The possession of a mind strong enough to stand a college education was considered a sex attribute no longer than half a century ago, and in these times, when opportunities utilized have proved the female mind no less strong than that inhabiting a masculine cranium, women's brains are accredited with a difference in quality necessitating a difference in mental diet, though as yet the male and female stomach is considered able to digest the same material.

As in response to equal opportunity, women have successively proved themselves equal with men in physical and mental powers; as the point of difference is perforce shifted, but is still insisted on as existing; as with the disappearance of each distinction there is still no suspension of the ardor with which the point is maintained—queer marvel is it of an illogical world that the real distinction is seldom sighted and never estimated at its full significance.

'Way back in the obscurity of savage life before the dawn of civilization this was the sex distinction: he was strong, she was useful; therefore, he took her for his own. She was the first slave, she was the first thing he ever owned; and he has relinquished her piecemeal and with the greatest reluctance. The distinction between a piece of property and its owner is indeed vital, and in adjusting themselves to the conditions of life, as stated in those terms, remarkable differences were sure to arise. The completeness of her serviture and its maintenance down to such recent times would prove powerful enough to stamp marked traits on both male and female characters. She could be counted on to acquire slave qualities; and the rapid intuition, the quickness of perception, the zeal for self-effacement—in short, all the so-called virtues, as well as vices, which have been placed to her credit throughout the long ages, what are they but the inevitable outcome of a slave status? The happiness and comfort of a slave depend upon the quickness with which he reads the mood of his master and the rapidity with which he perceives the course adapted to his pleasure. Why should not women be enmeshed in a love of personalities when the person nearest held their life and happiness in the hollow of his hand? Why should principles of abstract justice appeal to the feminine character? What has justice ever done for her? Of generosity her life may

have been full to overflowing, but of justice—she has seldom been the object to which it has been applied. Her attitude toward it might consistently resemble the Irishman's, who, when solicited to take out an insurance policy through consideration for posterity, replied: "Posterity! Sure, and what has posterity ever done for me?"

To talk with learned unction of sex selection and differentiation may gladden the ear and befog the mind, but traits that would be the inevitable outcome of an economic condition wherever found need no elaborate biological explanation. The selfishness which even Darwin bewails as the unfortunate sex distinction of the male human animal, what is it but the natural outcome of centuries of domination? With such an opportunity the female could have been counted on to assume the world as her own preserve in exactly a similar manner. His ambition which Darwin likewise attributes to his sex inheritance, what is it but the result of opportunities for gratification? Why should the female, for whom aspirations could have no legitimate realization, save in devotion to the comfort and welfare of her family, develop ambition? Was she not ever drilled in all that is implied in the old adage, "The happiest women have no history"? What a world of meaning is contained in John Wesley's advice to his wife, "Be content to be a private and insignificant person known and loved by God and me." If "God and me" were the powers that alone offered hope of reward for zeal and faithful service, "God and me" could be counted on to be the objects of woman's devotion, and consequently a large part of the history of women is but a record of faithful service to husband or father and the church. Who dare say that this is the outcome of her nature, since she never has been offered that liberty of choice that alone would indicate a following of nature's promptings.

There is one brilliant exception to the universal habit of the mind of man being utterly befogged when it discusses the nature of woman. As the result of an inherited logical mind and the severest early training no sophistry, no prejudice, could ever obscure the truth from the piercing eye of John Stuart Mill. He saw and fearlessly proclaimed nothing in the mental and moral eccentricities of the female character but the inevitable outcome of the force of circumstance. He aptly compared the case of woman to that of a plant some of whose shoots are forced and

some are heaped with ice and left to die; and he declared that men, with the inability to recognize their own hand-work which distinguishes the unanalytic mind, indolently believe that the tree grows of itself in the way they have made it grow, and that it would die if one half were not kept in a vapor bath and the other half in the snow.

John Stuart Mill was naturally precocious and was trained in logic at the age that the normal boy is devoting himself to marbles. But this concentration of all the forces of his life in tracing phenomena to their causes and causes to their inevitable consequences seemed none too complete if the nature of woman was to be considered from a basis of pure reason; for Spencer and Darwin, magnificently as they overcame all other obstacles, only saw part of the truth when they referred to this perennially misunderstood subject.

Herbert Spencer admits that the great man is what society has made him, but when he turns to the normal woman he sees through a glass darkly and his logical mind loses its bearings. He recapitulates with unerring accuracy the traits of mind and character that the weaker sex have acquired as the result of dealing for centuries with the stronger, and uses these data to justify his *a priori* inference that as the parental activities are different so will be the mental faculties. If woman had been stronger or man had been just, these regretted limitations would never have existed; all this might have happened without in the least interfering with the sexual activities. In regard to reproducing her species, woman would have been infinitely more successful. If, as Spencer states, she had often to resort to deceit and indirection to save the very lives of herself and offspring, this faculty, developed as the result of necessity, must work with sinister influence on both herself and her children and resulted as a blight on the life of the family, but bore no essential relation to her sexual history.

If women were obliged to reproduce the species against such heavy odds, and even to protect their offspring from the father, the zeal and devotion which women have shown in protecting the interests of children are thus revealed as an inevitable result of their economic history, and are not, as modern writers state with much fulsome compliment, one of the inherent virtues of the feminine nature. Thus one by one we see the boasted virtues

of the womanly nature traced back to their origin, which was not the essential goodness of her nature, but the result of stern economic necessity. She cared for the family. Why? Because man made her, and if she hadn't the race would have died out. As a sex, her record is one of abstemiousness—not because of her inherent goodness, but as the weaker part she was not allowed the luxuries with which men indulged themselves. She is virtuous. Why? Because man set that standard for her and she had to live up to it.

In regard to the prolonged subjugation of woman the initial cause was, in all probability, the superior strength of man. This, however, is not sufficiently marked to explain the completeness of her subserviency. So abjectly has she grovelled beneath his feet that every attempt made to better the condition of the sex has been bitterly resisted by the vast majority of its members. It is not only the laws on the statute-books that have hampered her and marked her as inferior, but the unwritten and immeasurably more effective laws of custom and prejudice. We are all the slaves of custom, but on woman has fallen the bondage in its heaviest form. Naturally, being human, would she choose to do the customary thing, and inevitably, as the result of her slave status, would she be forced to do the things that her owner thought proper; his opinion being also formed in deference to custom. The original barbarian warrior, therefore, who brought the first captive woman home from battle as a proof that he had been a brave fighter is the only culpable party. After the style was once set, each generation, through the force of precedent, riveted its bonds with increasing intensity on its successor. In those old patriarchal days fathers were not only obeyed, they were worshipped, and how irresistible must have been the force of custom! In our own free and enlightened time, do we not imperil the very lives of our children every Fourth of July? Such is the force of custom. One July, on the 5th, the newspapers feebly commented on the fact that fifty-one children had been killed and over thirty-five hundred injured; but next summer we repeat the experience—such is the force of precedent.

It would seem that even the casual reader of history, as well as the most superficial observer of social conditions, could not fail to find abundant cause for all the peculiar traits exhibited by women without resorting to the threadbare argument of sex.

Their failure to do so is another instance of the tribute mankind is perpetually laying at the feet of prejudice.

The debatable point that has most staggered biologists has been the extent to which women transmit their acquired traits to their female offspring and how many crumbs from the well-spread table of the father might in the course of inheritance be picked up by the daughter. Spencer, who assumes so much—as a philosopher whose range is every department of human knowledge must—finds in the direct inheritance from mother to daughter a sufficient explanation for all the feminine eccentricities which fell under his rather limited bachelor eye. To concede this point is to abandon all hope; for, however acquired, any female characteristic would wend its way through ages as a blight on the unfortunate sex in which it originated.

Spencer searched until he found the facts which justified his assumption, but Darwin collected with patient toil all accessible data and let the conclusion be what it must. After bringing all the facts of natural history bearing on this mooted question together, he stated the following law as one with known exceptions: Traits acquired after maturity are transmitted to the same sex, but traits acquired before maturity are transmitted equally to both sexes.

This law offers a sufficient explanation for many phenomena otherwise not clear. It explains why women have lagged behind in the progress of the world and yet have not dropped so hopelessly in the rear, as must have been the case had women inherited only from women.

The difference in the education of the sexes in the human family never abates for a moment from the cradle to the grave. The tiniest girl is exhorted to behave in accord with the proprieties that shut her out from the activities open to her brother. All that youth acquires before the age of maturity becomes the inheritance of the race; and thus the manacles which society has imposed on its women, as well as the progress it has instilled into its sons, are equally inherited by both men and women.

The marked ability which women are showing in public work along philanthropic lines in utilizing the power of organization proves nothing, if not that it was a direct inheritance from generations of men. The isolation in which the work of women has always been carried on could develop no such ability for trans-

mission to posterity. To what an extent the progress of human society has been retarded by the prolonged damming up and diverting of the powers of half the race, it is, of course, impossible to estimate. But at least the lesson is plain for any discriminating observer of social evolution, that most of the so-called sex distinctions between men and women are merely the inevitable consequences resulting from different conditions; and just in proportion as men and women work side by side in the battle of life, submitting to the same handicaps and stimulated by equal opportunity, will the truth emerge; that sex distinctions have been vastly over-emphasized and that the physical differentiation necessary for the propagation of the species is strictly limited in its field and leaves untouched the larger area of human qualities which has been developed in consequence of man being a social animal.

ANNA CADOGAN ETZ.

THE NEW IRELAND.—XII.

CONCLUSION.

BY SYDNEY BROOKS.

I HAVE written these articles to little purpose if I have not persuaded some, at least, of my readers that the Irish Question is not a question of politics merely. There are many things in Ireland, as I see it, more important than politics. The necessity of completing as speedily as possible the transfer of the title-deeds in the soil from landlord to tenant and of bringing the seven-century-old agrarian struggle to an end, is one of them. The yet more vital necessity of seeing to it that the new proprietors are enabled to maintain themselves in a state of economic independence is another. There is no hope of contentment in Ireland until landlordism is finally abolished. But there is no hope of prosperity in Ireland if the abolition of landlordism means simply the handing over of the soil from one set of incapables to another. I have emphasized this point more than once in the preceding articles. But it is so urgent to the proper understanding of the Irish problem, as it is to-day and as it will be for many years to come, that I am tempted to dwell on it a moment longer. When the policy of land purchase has fulfilled its mission, the Irish agrarian question, as we have known it since the first beginnings of Anglo-Irish relations, will have ceased to exist. Hitherto it has been mainly social and political, a struggle between two classes over rent and ownership. Henceforward it will be mainly technical and economic, a struggle not for possession, but for a livelihood. On the ability of the new proprietors to make farming and stock-raising pay depend the peace and prosperity of the country. At present, as I have before insisted, they are lamentably ill-equipped for a competitive agricultural existence. Taken as a whole, the Irish peasants and

small farmers have neither the technical skill nor the education nor the capital nor the business experience adequate to their new responsibilities. Large numbers of them are in debt to the local gombeenman; nearly all have been more or less demoralized by long years of agrarian agitation, by the habit of leaning on others and by the lassitude and hopelessness that brood over rural Ireland; they have forgotten what little they or their fathers ever knew about tillage; even as stock-raisers, with every advantage of soil and climate in their favor, they fall miserably below the standards of Argentina and America; and the dreary slovenliness of their mode of life is the despair of social reformers. Yet these are the men who have the future of Ireland in their hands and who represent the ultimate security for the repayment of the loan of $1,000,000,000 advanced, or about to be advanced, by the British Treasury to enable them to become the sole owners of their holdings.

There is a twofold danger in such a situation. The first danger is that just as in the past there have been campaigns against the payment of rents to landlords, so in the future there may be a campaign against the payment of the annuities to the State. It is true that experience so far does not make the risk appear very formidable. Some 75,000 Irish peasants purchased their holdings by the aid of public credit before the Act of 1903 was dreamed of. In very few instances has there been a failure to pay the instalments of the purchase-money punctually. It has been found that the moral and material results of proprietorship both discourage agitation and increase the yield of the land. At this moment those who are in arrears under all the Acts are, I believe, under one per cent. of the total number of purchasers. This is encouraging, but is it quite final? A Government, one must remember, is an unfeeling landlord; it can make no allowances for crop failure or cattle disease; it can listen to no excuses; its transactions are all on a cash, and not a credit, basis. Many of the new proprietors who have been seduced into coming to terms with their landlords by an immediate cancellation of arrears, or by the scarcely less attractive expedient of merging them in the purchase-money, will find, I fear, when a bad year comes, that the annuities they have agreed to pay are wholly beyond their means. In which case what is the Government to do? Wholesale evictions for the non-payment of the annuities would mean

plunging Ireland into an unthinkable anarchy. No one can feel absolutely sure that the new owners of the soil have not at the back of their minds a half-formed hope that fifteen or twenty years from now they may somehow be able to escape from the payment of their annual instalments. Irish politics will go on, but how can they go on without the agrarian commotion which for nearly forty years has been their life-blood? If the pacification of the peasantry means the depletion of the Nationalist exchequer and the gradual attrition of interest in the Home-Rule movement, may not the politicians feel all the more drawn to some desperate stroke for the recovery of their dwindling influence? And if they do, what course is open to them except to start an agitation against the remittance of the annuities? I am not at all certain that the future of Irish politics may not belong to the party that first forges anew the links that are now being weakened, and indeed severed, between agrarianism and Home Rule. At some period of acute agricultural distress, and making the fullest use of the argument that England has already overtaxed Ireland to an amount exceeding that of the purchase-money advanced, I find it not impossible to imagine a party proclaiming, and enlisting formidable support to carry through, a general strike against the instalments. I do not by any means rate this possibility high, but neither can I altogether exclude it. Were it ever to become near and real, the future of Anglo-Irish relations might rival, might even surpass, the bloody, insensate tragedy of their past.

But there is another, and in some ways a not less disheartening, peril to be faced. It is that the new proprietors may slowly be squeezed by their inefficiency or indebtedness or sloth out of an independent position, and that after dabbling unsuccessfully with stock-raising or exhausting the soil by improvident tillage, they may be forced to sell their lands to the money-lender and the publican. In which case the whole policy of land purchase will have been defeated, the dream of a secure and prospering peasant proprietary will have vanished and a new race of landlords will have been called into existence ten times more avaricious, mean and tyrannical than the worst member of the old type of English absentee. To ward off so hideous a catastrophe seems to me a task of infinitely more moment to Irish welfare than empty wrangling over the machinery of constitutional government. It

can be warded off if leaders and people keep their vision clear and their will-power active. There is no Irish need more imperative than a sustained and many-sided effort to put the greatest of all Irish industries on a sound footing by translating into terms of positive achievement Sir Horace Plunkett's formula of "better farming, better business and better living." Better farming is primarily a matter of technical instruction; better business depends first and foremost upon the extension of the co-operative movement; better living can be secured only as the result of many diverse agencies working for the reform of domestic economy and the brightening of rural existence.

Here is a vast and beneficent work waiting to be done, one that may well tax all the energy and devotion of which a united Ireland is capable before it can be successfully accomplished. Obviously it is a task which laws made in England and speeches delivered in the House of Commons can do little to further and which can only be carried through by the daily self-sacrificing toil of Irishmen in Ireland. And around this central problem of rehabilitating Irish rural life, morally, materially and socially, are grouped many subsidiary questions. There is, for instance, the question of promoting both village and major industries and of thus doing something to check the tide of emigration. This in its turn is partly a question of technical education and partly, indeed chiefly, of character, discipline, confidence and public tranquillity. The opportunities for industrial expansion in Ireland far exceed the aptitudes of the people for profiting by them. It is, indeed, on the face of it an amazing anomaly that a mainly agricultural country, with over $300,000,000 lying idle in her banks, and her enormous wealth of cattle, sheep and pigs, should be importing every year over $8,000,000 of boots and shoes, $800,000 of soap, $500,000 of candles, $500,000 of woollen goods, $1,800,000 of butter, $1,500,000 of artificial manures and $5,000,000 of agricultural machinery. Intimately bound up with the industrial problem is the question of furnishing a cheap, rapid and co-ordinated system of transit and communication. There are in Ireland some 4,500 miles of railway track, divided among no less than seventeen principal companies and presided over by at least twenty-six boards of directors. The rolling-stock is inadequate, freight rates for merchandise are more than a third higher than in England and increase with the years, passenger fares are

still more excessive, the whole system is ill connected and unenterprising, and the preferential through rates and the strangling of canal competition have made the Irish railways almost as much the enemies as the friends of Irish progress. No country so palpably awaits material betterment. In the extension and wholesale reformation of her railways, in the improvement of harbors and the building of piers, in the reclamation of her million and a half acres of waste land, in the development of a broad system of arterial drainage and in reafforestation there is ample scope and reward for constructive enterprise of a kind that the grant of Home Rule or the withholding of Home Rule is powerless to affect. And overtopping all these problems there are the supreme questions of national character and of national education—of how to instil into the Irish people those qualities of moral hardihood in which they are lacking and of how to rescue their mental development from a cramping, clerical domination.

Emphatically, therefore, the Irish Question is not all politics, and those Americans who think they have solved it by recommending that Ireland should be treated as though she were a State in the American Union have yet, in my judgment, to master its alphabet. Nevertheless, to the entire outside world, and probably also to the majority of Englishmen, the essence of the Irish problem is contained in advocacy of, or antagonism to, Home Rule. As I have argued before, and as I shall argue again a little later on, I believe this view to be incomplete and mistaken. The Constitutional issue is undoubtedly a part and an essential part of the Irish Question, but it is not and cannot be the whole of it; and while I am personally convinced that it ought to be decided, and eventually will be decided, in the way the majority of Irishmen desire, I am not less sure that Home Rule is no panacea and that it will leave unsettled as many problems as it solves. For all present purposes, however, the matter is one of merely academic interest. Home Rule, as a legislative possibility, is considerably further off to-day than it was in 1886. I cannot persuade myself that the Liberals will again make it a part of their programme, and even if they did, no one could for a moment doubt that the House of Lords would reject any measure of Home Rule that was comprehensive enough to satisfy the Nationalist party. Thus the question of Home Rule is permanently postponed to the question of the House of Lords and the signs are few and faint that

the British people really desire any alteration in the constitutional powers of the Upper House or are willing, under whatever safeguards of delay, to allow a chance majority in the House of Commons to pass into law whatever measures they pleased. The Conservatives, it is true, are released from the fear that their Bills may be mutilated or rejected by the Lords, but then what chance is there that the Conservatives will abandon the one plank in their platform which has never shifted in the last five-and-twenty years and consent to adopt the Nationalist view of Irish affairs? Frankly I see no chance whatever. Even when it is made clear beyond the possibility of doubt that Tariff Reform—the first constructive item on the Conservative programme—can only be carried by the help of the Irish vote, I do not believe that the Conservatives will agree to any compact or alliance that involves, as one of its terms, the setting up of a legislative assembly in Dublin. It is, indeed, conceivable that Home Rule may come as part of a general scheme for easing the Imperial Parliament of some of its overwhelming burdens and for resolving the United Kingdom into a sort of federated monarchy in which Englishmen, Irishmen, Scotchmen and Welshmen would exercise a separate and equal control over their own local affairs. But this is a development which lies too far off, even if it ever comes at all, to be worth discussing to-day. Yet short of some such heroic transformation I discern little or no prospect of a Home-Rule Bill being again introduced into the House of Commons. It is, indeed, scarcely too much to say that the idea of settling or attempting to settle this part of the Irish question at a single stroke has been abandoned by all responsible politicians. The Liberals made the effort in 1886 and they suffered, in consequence, nearly twenty years of banishment. They are not likely to repeat it. That what is compendiously known as the Irish Question can only be grappled with piecemeal fashion, by taking one step at a time and by resisting the temptation of large and revolutionary schemes, and that Home Rule will not be so much granted as evolved—evolved from the progressive devolution of purely Irish business to purely Irish bodies—may now, in my judgment, be accepted as axioms of British politics.

If this view, as I believe it to be, is well founded, it is clearly unnecessary for me to enter at any length into the arguments for or against the Home-Rule Bills of 1886 and 1893. Most of

their provisions were substantially identical. Both Bills established an Irish Legislature with an Irish Executive responsible to it. Both divided the proposed Legislature into two Houses. Both placed the judiciary and the police under full Irish control. Both forbade the Irish Parliament to deal with matters affecting the Crown, with the naval or military forces of the Kingdom, with trade, navigation and coinage, and with the establishment and endowment of any religious institution. Both maintained the Customs Union and debarred the Irish Legislature from imposing duties on British or foreign goods. Both granted to Ireland the right to levy her own taxes and both fastened upon her the responsibility of paying to the Treasury in London an annual contribution amounting to eight and a half per cent. of the British revenue. Where they differed was in the arrangements made for representing Ireland in the Imperial Parliament. In the Bill of 1886 no Irish members were to sit at Westminster and Ireland would thus enjoy taxation without representation. In the Bill of 1893 eighty Irish members were to attend the British Parliament and vote, if they chose, on Imperial and Irish questions, but on no others. This plan was hopelessly unworkable and hardly stood a day's discussion in the House. Mr. Gladstone abandoned it in favor of retaining eighty Irish members at Westminster with plenary powers of voting. The objection to this was that Ireland would then be governing not merely herself, but England, Scotland and Wales, too. But it was not on any point of detail that the Bills were rejected, the first by the House of Commons, the second by the House of Lords, and both with the overwhelming concurrence of the English people. What decided their fate was, first, a conviction that their introduction was the price of a disreputable deal with the Irish vote; secondly, indignation at the recklessness which would thus throw the British Constitution into the melting-pot; thirdly, an instinctive perception that Home Rule was but a stepping-stone to separation and that two Parliaments would entail endless friction and suspicion, and possibly open war between England and Ireland; fourthly, the belief that Home Rule meant Rome Rule and that Mr. Gladstone was handing over loyal and industrious Protestants to the mercies of rebellious, predatory and bigoted Catholics; fifthly, the plain determination of Ulster to fight rather than submit to be plundered by a Catholic Parliament in Dublin;

sixthly, the memory of the murderous outrages on man and beast committed, if not at the instigation, certainly without the disapproval, of the Nationalist M.P.'s; and finally, the fierce contempt and hatred felt by the British masses for the Irish people.

The force of many of these arguments and emotions has considerably weakened in the last twenty years. There is to-day a frank recognition of the evils which English misgovernment has inflicted upon Ireland. There is an honest desire to make reparation. There is an effort, almost pathetic in its futility, to understand the Irish character. The old bitterness and rancor have largely, if not wholly, disappeared. The stupid taunt that the Irish are unfit for self-government is now no longer heard. With the gradual emergence of Ireland from the more acute phases of agrarian unrest, with the gradual cessation of crime, the spirit in which the English people approach the Irish Question has been revolutionized. The absurdity of talking of Imperial Federation while Ireland, at the very heart of the Empire, remains disaffected is freely admitted. The irrational and exasperating contradictions in which the English democracy has involved itself by persisting in the impossible task of governing Ireland against the will of the Irish people are felt and deplored. Even Unionism has broadened out into a mellower, more tolerant creed and into a policy of constructive amelioration. It was the Unionist Party that took away from the British "garrison" its hold over Irish local government and created the County Councils on a broad and popular basis. It was the Unionists, again, who six years ago decreed the final abolition of landlordism and pledged the Imperial credit in the sum of nearly $1,000,000,000 to turn Ireland into a country of peasant freeholders. A new generation has grown up in England that knows little or nothing of the catchwords and fears that so passionately stirred the country twenty years ago. I do not say that it favors Home Rule or that the fanatics of Ulster could not again play successfully upon its anti-Catholic prejudices and its witless fear of Imperial disruption. But I am confident that it is no longer so averse from Irish autonomy as it was, and that while it would probably reject any scheme and overthrow any party that aimed at attaining Home Rule by a single stroke, it would be willing to advance step by step towards the final goal of freedom and pacification. It sees, for instance, that the House of Commons grows

less and less able to discharge the enormous mass of business that falls upon it, and it has no instinctive objection to delegating some, at any rate, of its functions to a local Irish body. It is even, I think, beginning to realize that it is not enough merely to remove tangible grievances and that until the majority of the Irish people feel that they do in some sort control their own destinies and have in a measure a shaping hand in their own government, until they are made conscious of a harmony between Irish sentiment, instincts and responsibility and the daily work of Irish administration, the country will never be contented. And the growth of this consciousness has kept pace with and been paralleled by, as I have endeavored to make clear in the preceding articles, a momentous change in Ireland herself—the birth of a new spirit of unity and interdependence, the weakening of the old fainéant type of Unionism, the gradual but continuous approximation of all Irishmen towards a common centre. The resultant of these convergent and ancillary forces can only be a progressive expansion of Ireland's control over her own affairs. Mr. Birrell in 1907 brought in a Bill which, though very far from Home Rule, though it did not contain a hint or suggestion of any new legislative power or authority, though it did not authorize the levying of a single tax and left majestically unaffected the constitution of the United Kingdom, had the merit of establishing an Irish Council to take over the administration of eight of the principal departments of government, set up a separate Irish Treasury and, more important still, created a new department under lay control for the direction of Irish education. The Bill was rejected by the Irish people in a mass convention, partly because everybody knew that, if accepted by them, it would be thrown out by the House of Lords, partly because the Irish Party saw in the projected Council a body that might rival and distract attention from themselves, partly because the Sinn-Féiners stirred up opposition to the Bill as an "insult" to Ireland and effectively contrasted its narrow and restricted provisions with Mr. Gladstone's Home-Rule measures, partly because the priesthood would not for one moment tolerate the handing over of primary and secondary education to a board of laymen, but chiefly because the Irish people had not yet learned that Home Rule, if it ever comes at all, will come gradually, one stage at a time. I do not know that they have assimilated this fact even

now; but I am certain they will have to assimilate it or abandon all hope of eventual autonomy. This is not equivalent to saying that Home Rule is an unrealizable dream. The exact contrary is both my hope and my belief. Not a measure has been passed for Ireland during the past hundred years that was not a step towards final self-government. This process will unquestionably continue and no statesmanship can now restrain it. Even Unionists confess that Home Rule is at once inevitable and impossible —impossible, they mean, because they have never seen a Home-Rule Bill that promised to be workable, inevitable because the whole current of events both in England and in Ireland is setting full and fair towards it. How and when and in what form it will be granted I admit at once I do not know and dare hardly guess. But that ultimately, as the coping-stone to a successive enlargement of their liberties and opportunities, the Irish will find themselves in possession of a measure of self-government that will satisfy their national aspirations, seems to me little less than one of the certainties of the future.

But, after all, one comes back to the point that there is little England can do for Ireland compared with what the Irish can do for themselves. It is the penalty of bad government that it does more harm than its reformation can cure. English rule in Ireland has often been cruel, oftener still stupid, patronizing and inapplicable, and never more so than when best intentioned. It has helped to make, it has probably had a larger share than any other single cause in making, Ireland and the Irish people what they are to-day; and there are few defects in the Irish state, and few shortcomings in the Irish character, which cannot be traced back originally to English misgovernment, or which have not, at any rate, been intensified by that misgovernment. But no fallacy can be greater than to suppose that what bad legislation has done good legislation can undo. Human affairs are not so simple as all that, and the effects of a vicious policy will not only endure long after the policy itself has been reversed, but may even remain uninfluenced by its reversal. This is what has happened, and what will happen, in Ireland. It is only in the last seventy years or so that the English have seriously tried to make amends to Ireland for the afflictions of seven centuries, and only in the last fifteen years or so that the recuperative principle has been allowed even a partial chance. It seems to me idle to sup-

pose that a people who have been so crushed and oppressed as the Irish, and whose economic and mental growth has been so long and so deliberately stunted, can be brought back to health by a single restorative, or, indeed, by any restorative at all that is administered externally. Not only has England not overtaken the ill effects of her misrule in Ireland, but she never can overtake them. They have outdistanced any real help that she could render them; they can only be restrained and destroyed by the Irish themselves. England's power of assistance is limited merely to the removal of grievances, the redressing of injustices, the creation of opportunities, the adoption, so far as her imaginative obtuseness will permit her, of an attitude of understanding and sympathy. Beyond that she cannot go. The far more arduous task of rebuilding the national character of the Irish people is one that can only be grappled with in Ireland and by Irishmen. There is a striking passage in Mr. George A. Birmingham's novel, "Benedict Kavanagh," which says, as I cannot help thinking, almost the final word on this matter. A priest is pointing out to Benedict the improvement in the manners, surroundings and character of the people in a Connaught village. Benedict supposes that it is the priest who has done it for them. "No," comes the answer, "I have not done it for them. There you touch the great mistake which has brought to ruin so many fine-sounding schemes. Things must not be done for our people. They must learn to do things for themselves. Nothing, literally nothing, can be done from outside. Have we not had enough of that? Money poured out, wasted. Strangers coming to teach and going away disheartened. For our people there is only one hope, and that is in themselves, themselves alone."

Holding by this formula and its implications, I cannot for one moment persuade myself that Home Rule would bring the Irish millennium. The character and temperament of the people are altogether beyond England's power to influence; for whatever is remiss in their moral or economic aptitudes, they must find and furnish their own remedies. No legislation at Westminster, no mere adaptation of the constitutional machinery, can give them the force and virility, the balance and backbone, the perseverance, the contempt for unveracity and deceit, and all the other strong qualities in which candor itself must admit their deficiency. One of the great troubles with Ireland is that no Irishman will say

what he thinks. In all politics one has to allow for a certain difference between private and public utterances, but in no politics is the difference so profound as in Irish. For bodies to pass resolutions to which all present are secretly opposed; for Irish politicians to deride in conversation and in private letters pretty nearly everything that they are engaged in upholding in Parliament and on the platform—these are the every-day phenomena of Irish affairs. Make-believe, a conscious insincerity and the miasma of moral cowardice permeate the entire country. There is no land in which there is more volubility of speech and less real liberty of thought, and as a consequence less democracy, than in Ireland, no land in which the individual counts for so little and the "organization," whether clerical, political or agrarian, for so much. If half a dozen leading Nationalist M.P.'s were to say on a public platform one-half the things they mutter in private about the devitalizing tyranny of the Church over the social life and mental development of the people, it would do infinitely more for the essentials of Irish welfare than the most perfect of Home-Rule Bills. Over far too large a part of Ireland terrorism is the rule of life, opinion is no more than the bellowing of the loudest claque, civic spirit is represented by the wranglings and intrigues of factions, performance fails to follow promise, patriotism finds its only expression in a litter of histrionic "resolutions," the very conception of industrial discipline seems to have perished, agriculture has become a question of rent and not of work, of how little can be paid for the land, not of how much can be got out of it, witnesses perjure themselves with Asiatic liberality, juries return verdicts that every man in the twelve knows to be against the evidence, the individual cowers beneath the priest, and the whole conduct of life is scaled down to a turbulent level of selfishness, langour, intimidation, inefficiency, falsity and superstition. It is precisely in such communities as these that the people are most forward in speaking of themselves as "our noble but oppressed race," and in placing upon every shoulder but their own the responsibility both for their poverty and its relief. I quite admit that British misgovernment probably deserves most of the blame so freely ascribed to it, but I doubt whether it deserves it all. Too much self-pity, too much self-praise, added to misunderstanding and detraction from without, acting upon a national character always prone to an easy

fatalism, and reinforced by a convulsive history that has thrown to the surface all the unhealthy elements of society, have unquestionably confused the standards, misdirected the energies and weakened the moral fibre of but too many of the Irishry.

Home Rule in itself, it must surely be very clear, will not exercise these painful and debilitating qualities, or at least will not do so at once; and to advocate autonomy on the supposition that it will effect some immediate and miraculous transformation in the material fortunes or the moral texture of the Irish people seems to me altogether misguided. On the contrary, those who believe in Home Rule should prepare themselves, and without dismay, for the anticipation that its first results might be almost heart-breaking and that Ireland under a Parliament of her own might present an initial aspect of confusion worse confounded. If they believe—and I do not see how any other belief is possible—that there is no one cure just as there is no one cause for Irish ills, they will not claim for their remedy any finality of virtue. They will recommend it not as a panacea, but as an auxiliary. Home Rule in its relation to Irish character—and is anything of much moment by the side of character?—holds precisely the position of the Wyndham Act in relation to Irish agriculture. The land tenure system, with its vitiating war of classes and its deflection of the national mind upon the single question of rent, caused the fundamental problems and realities of an agricultural existence to remain neglected and, indeed, almost unrealized. They could only emerge and claim their paramountcy when that system was readjusted. The merit of the Land Purchase Acts is not that they make agriculture a success forthwith, but that they make success possible by creating the conditions in which it is not only worth striving for, but is seen to be worth striving for. They are performing the indispensable work of clearing the ground, leaving it to the peasants themselves to erect on it the best superstructure of which they are capable. In much the same way the Irish mind and character have been poisoned and turned from the channels of productivity and from the understanding of the true source of national well-being by the struggle for Home Rule and the methods by which it has been waged. To grant Home Rule is not to make the Irish character instantaneously strong, but it is to furnish the fusing and essential element out of which strength may be slowly formed, an element which,

with things as they are, is not merely wanting, but is all but unattainable. It is an old truism, but none the worse for being old, that responsibility in the long run is the only thing that makes men responsible; and a people perpetually at strife with its rulers, its national genius thwarted, and its national aspirations throttled, is a people desperately handicapped in the evolution of self-reliance and virility. Ireland, as I have tried to show, is making, on her own initiative, efforts that are little less than heroic to overcome this handicap. She is developing character; she is developing unity; she has started, it might almost seem, on a path which, if it does not end in her being given what she wants, may end in her taking it. The function of England, at its widest, is confined to helping her to help herself. To attempt to supersede her own valiant endeavors after regeneration from within would be as senseless and as futile as to attempt to check them. All that England can usefully do is to second, foster and stimulate them, and to provide the opportunity for their further evocation. It is for that reason, if she is really desirous of Irish well-being, that she will ultimately grant Home Rule.

SYDNEY BROOKS.

THE END.

PROFESSOR CROSS'S LIFE OF STERNE.

BY W. D. HOWELLS.

THE "Life and Times of Laurence Sterne," which Mr. Wilbur L. Cross, Professor of English in the Sheffield Scientific School at Yale, has lately given us, is a biography of such measure and make as to be a long delight to any reader who loves quiet inquiry and judicious conclusion respecting a disputed character. We ourselves came to it with a rebellious doubt whether the Laurence Sterne of Thackeray's "English Humorists" was the Laurence Sterne of nature, though it might be the Laurence Sterne of history. We had instantly accepted that portrait as a true likeness when we first knew it fifty years ago, but in the course of the ensuing half-century our misgivings had mounted to a climax of rejection, waiting only the skilful touch of such a biographer as Mr. Cross to cap it. Not that his conception of Sterne is merely a denial of Thackeray's; he mentions that perhaps half a dozen times in the course of his leisurely narrative, and he scarcely anywhere very formally or actively disputes it. But you learn to know another man from him on almost the same lines: a Sterne who was not a hypocrite or libertine, but a man prompt in all the minor relations of life, true to his word whenever he could be, and courteously sorry when he could not; no habitual, if ever, sinner against women, but a faithful friend to men; a trifler with texts but not with truths; indecent as his age was indecent, indecorous in his literature rather than his life, though rather a scandalous priest in both; mainly a light nature, playing with his own feelings, though they were real enough feelings, and touching the deeper as well as shallower emotions in others; with a sense of propriety which he constantly insulted; essentially humorous and entirely anomalous; an indefatigable

artist, and such a master of natural English as never was before or has been since.

Mr. Cross fights no battle for the man whom he never makes his hero, but whom he is so gently and carefully just to throughout, with a charmingly humane, a delicately urbane sense of his indefensibility where he is indefensible. There he allows you are right, if Sterne is wrong; but if you come to him with certain prepossessions, certain prejudices, he corrects your judgment, not by argument of any sort, but by trusting himself to the testimony in the case. There is, for example, the whole business of Sterne's relations to women which, if you imagine them from sentimental or salacious passages in his books, you take for as wicked as any one pleases. But from this sane and candid biography, you learn that he never was unkind to the most difficult of mothers, when she came to batten on him in the belief that he had married a rich wife, but after vainly entreating her to remain in Ireland and live on her pension, did everything that a good son could to satisfy her rapacity; that so far from neglecting his wife he cared for her in her insanity, and supported her beyond his means in her wilfully separate life; that he did everything he could to provide for her and his daughter after his death, and that they shamelessly and ruthlessly turned into money all of him but his bones, which indeed had gone to the dissecting-table, not through his landlady's anxiety for her rent, but through the enterprise of the professional resurrectionists. On the other hand, it is shown that the inveterate sentimentalist was his whole life long a lover of women, either the idea of them or the fact of them; but none of his adorations were very serious except one, in which he imaginatively arranged with the lady to marry her after his wife and her husband should be dead, but was frustrated by their both outliving him. In the mean while he did her no harm beyond turning her head, and he took good care of his wife and daughter, where they preferred to live in the south of France, leaving him to wear himself out amidst the joys and perils of his triumphal sojourn in London.

There never was so brilliant a career in the history of literature as that of the witty young country parson who came up from Yorkshire to feast on the fruits of his fame among the Fair and the Great in the English capital. He was meanwhile far gone in consumption, but between "spitting blood," as he called

his hemorrhages, in the old-fashioned terms, and frequenting the dinners and suppers of the lords and ladies who were killing him with kindness, he was jubilantly happy without a scruple of conscience to molest him. But we must not let the glitter of the scene blind us to the reality that this silly man of genius, though he was innocence and virtue compared with most of the company he kept, was living an evil life and when not evil a false life. He was far better than most people, most women as well as men, about him. But the charm with which these debauched one another died with them, while his lived after him. That was the great day of the literary influence of English writers on the Continent. It began with the "Spectator"; Richardson's lumbering novels were still more popular in every country; and in France and Germany the admiration of Sterne was a brevet of intellectual quality. So far as his artistry was concerned, the admiration of him was a proof of taste, but for the morality the best that can be said of Sterne is that his behavior was, at its grossest, more decent than his literature. The splendor of its success has long since waned, but the beauty of its art cannot be forgotten. There it is as bright as ever for any one who can master his repugnance or his regret for the matter of it. Sterne's English is the most natural English that ever was written or "wrote," as he would have written; it is the very manner of the spoken language; it halts, it hesitates, it turns upon itself; it puts the preposition last, where it belongs; it emulates the beauty of a tree or flower rather than the symmetry of animal life; it has no care for antithesis; it balances itself only from the thinker's brain and flies along the swaying thread of sympathy to the reader's mind, where it lights easily, softly, joyously. It abounds in elision, in ellipse, in all the gay informalities of graceful talk; for once, and, alas! only for once, the language forgets to be verbiage. All the wretched devices of schoolmastery are absent from it; and it still remains the model of English which no modern English writer has formed himself on, but which freed the style of Heinrich Heine from the clumsy gait of the German tradition and taught it to run, to leap for joy, to dance.

It is a pity that some such "conclusion" concerning Sterne's literature as that concerning his character did not form part of Professor Cross's scheme. His own manner is so easy and simple

that he must sympathize with the naturalness of Sterne's English, and he would not have failed, with this fine impartiality wanting in ourselves, to point out that the naturalness was sometimes studied, was affected. He has written a book of rare intelligence, of such insight and conscience, such grasp and such accurate touch, as we do not now recall the like of in recent English biography, and doubt the like of in American. It is rightly called the "Life and Times of Sterne," for his place and epoch, delightfully ascertained and suggested, form the continuous background which his figure is again and again posed against.

W. D. HOWELLS.

NEW BOOKS REVIEWED.

POETIC DRAMA.

SINCE Ibsen there has been no greater master of dramatic structure than Sudermann. Each one of the four short, one-act plays in this volume* is a model showing how plot, character, crucial and revealing moment may be compressed into twenty-five pages.

There is a tendency in the human mind to reduce life to one force, a monistic tendency; and Sudermann, like Maupassant and d'Annunzio, is all too much inclined to see sex pervading and ruling all of life. If the first play, "Streaks of Light" (was the original title "Roses"?), is sordid and painful, it is, at any rate, a splendidly glaring picture of the impudence of sin and the pride of evil, one great sardonic laugh. Margot, despite its Kundry motive and its expiation by service and labor, is both shocking and painful. "The Last Visit," a play that takes place over and about a coffin with a dead man in it, is a grim but amazing *tour de force,* and the "Far Away Princess" is a blithe and poetic comedy full of charm and merriment. The translator's work has been most excellently done.

This book† comes from a new and unknown hand and compels serious attention. It is true that the poet has not wholly matured conceptions or complete control of her medium. Her blank verse could well be more flexible and various, but there is real poetry here and abundance of thought nobly expressed. Alcestis, if a very modern woman, is no more so than the Alcestis of Euripides. The offering of the poison to Admetus is a point well made

* "Roses." By Hermann Sudermann. Translated by Grace Frank. New York: Charles Scribner's Sons, 1909.

† "Alcestis." By Carlota Montenegro. Boston: The Poet Lore Company, 1909.

and emphasizes his cowardice and futility. The love-making of Apollo stands in all probability for the lure of life and is an opening for much charming poetry, while the incident, somewhat fantastic, perhaps, of Alcestis's love for Hercules may likely be symbolic too, standing for no more than the superior lure of brave deeds and high virtue. The book is full of beautiful and quotable passages. We find in this volume more thought and more real poetry than in any American poetic drama of the year.

It is not well to herald a book with too high praise. Mrs. Marks's volume* came to us laden down with such eulogies as set the standard all too high and leave us with but faint commendation for a rather gracefully written, charmingly treated legend. The Piper is the same pied player of Hamelin whom Browning made so popular. Mrs. Marks departs from the original story enough to make a happy ending, marrying her lovers and returning all the children to their homes. She strips the piper, too, of the glamour of magic and sends him forth alone a-piping in the end.

This Piper can in no wise compare in beauty or eloquence with Georgiana Goddard King's fine figure, Messer Piepowder, in the "Way of Perfect Love" published last year; nor, indeed, now that the comparison is instituted, do the songs in the poem compare favorably in singing quality or beauty of concept with those in Miss King's beautiful poem. Occasionally Mrs. Marks annoys her reader by a reminiscent line, as when she writes of hearts "stabbed awake," so inevitably recalling Stevenson's over-familiar, "And stab my spirit broad awake." But when all is said and done we must be grateful for whatever poetry is left in this workaday world, and here and there throughout "The Piper" one runs into little fragrant closes of beauty such as the Piper's summons to Barbara to join the wandering life and his apostrophe to the Lonely Man.

William Vaughan Moody was a poet; at one time the most promising of American poets. For some obscure reason he turned his back on the muse who showered her favors on him and took

* "The Piper." By Josephine Preston Peabody. Boston: Houghton, Mifflin Company, 1909.

to prose drama of Western life. We would rather have one poem like the "Daguerreotype" or the "Gloucester Moors," one song like "Song Flower and Poppy" than twenty prairie or mining dramas. It was doubtless of set purpose that Mr. Moody turned to interpreting the life of the people, but the life of a people is not likely to be caught by any such deliberate, artificial purpose. When a man expresses his own soul, and his soul is one with the people's, then we have a national poetry. This is only by way of saying that after the "Poems" and "The Fire-bringer" the plays are disappointing. In itself, however, the "Faith Healer"* is a readable, well-constructed play well adapted to the stage. Mr. Moody is always capable, professional and interesting. Occasionally even here the poet in him peeps through, as in Uncle Abe's speech about the God Pan: "I'se spied 'm, sittin' in de paw-paw bushes, when de snakes a-runnin' an' de jays a-hollerin' an' de crick a-talkin' sassy to hisse'f."

The characters are admirably balanced—the mystical and exalted wife, old Beeler with his untutored faith in Spencer and Darwin, Rhoda, the Magdalene, Martha, busy about many things, and the young healer himself living half in the natural and half in the supernatural world. It is a good play, but we refuse to accept anything less than great poetry from Mr. Moody with enthusiasm.

CRITICISM.

It is now several years since Professor Bradley published a memorable book on "Shakespearian Tragedy." He was not wholly well advised to make another volume, after so long an interval, of what remained of his lectures as Professor of Poetry at Oxford.† They are not precisely *réchauffés,* but they are avowedly second best, later winnowings, *beaux restes.* The philosophic atmosphere of present-day Oxford has got into the pages, and the discussions of the nature of poetry and of tragedy are rather befogged, that of the sublime rather bald; many of them expend pomp and paraphernalia to say a small and simple thing. Yet that on the Shakespearian stage is worth the price of a whole volume of neo-

* "The Faith Healer." By William Vaughan Moody. Boston: Houghton Mifflin Company, 1909.

† "Oxford Lectures on Poetry." By A. C. Bradley. London: Macmillan & Co., 1909.

realism, if need were, and most readers will feel the same about that on "Shakespeare the Man." All perhaps will feel it, even such as radically disagree with his conclusions about what must be at the last largely matter of opinion. And on "Antony," on "Falstaff," he is only less fine than he was on "Macbeth" and "Othello." A special curiosity spices his attitude to the romantic poets. Any reader could have foreseen him an impassioned Wordsworthian, but not so quickly perhaps an estimate of Shelley so fine and high, so all but right. Shelley is rarely understood aright, rarely praised enough; the great book on our greatest lyrical genius is yet unwritten. But here is a noble harbinger. Yet when all is said, the gallanter thing would have been to discard these notes, as Aristotle, one fancies, discarded so many of his, and stand by the single really great book till he was ready to do another as fine—even, who knows, perhaps on Shelley?

Vernon Lee has given us two books at once this winter by reprinting, to the general content, one of fifteen years ago, and as in that she recites a sort of palinode to an essay in Euphorion she now covers and in a sense sums up the whole of her exquisite and priceless contribution to the comprehension and appreciation of art, and, furthermore, to the sum of beauty in the world. The attitude half of terror, half of exultancy, before the splendors of the Renaissance, gave place long ago to a quieter and deeper enjoyment that drank of stainless wells and interpreted heavenly wisdoms. In "Laurus Nobilis"* she essays the high task of reconciling the rarest beauty with daily life, the æsthetic bias with passionate care for the common good, the love of art with ultra-social morality. She is, in short, a perfect Platonist who has come around precisely to where Plato himself ended, and in reconciling æsthetics has brought loveliness under the yoke of righteousness. Gravely and deliberately she faces all the problems and dangers that beset our own instant of time—gigantic wealth, declining taste, unconscious grossness and selfishness on the one side, stunted and sordid apathy on the other. From such to save us she offers her solution—a valid and austere, a beautiful and passionately human and utterly unselfish solu-

* "Laurus Nobilis: Chapters on Art and Life." By Vernon Lee. "Renaissance Fancies and Studies." By Vernon Lee. London: John Lane, The Bodley Head. New York: John Lane Company, 1909.

tion. This is a way easier for her in Italy than for us in America, but a way always possible, promising an ultimate and general good. It is a great thing to have lived beautifully always, praising beauty worthily and understanding it more and more as life went on, to have come at last by that way also to the vision of brotherhood and mutual service, and to have revealed these worthily. To whomsoever loves beauty or loves man she must speak as one having authority.

Mr. Symons has set his hand to a book* that one wiser or stronger would have balked at. It is unworthy of his genius as a poet and his honorable and sympathetic fame as an exquisite critic in many arts. It has no beginning or end; nay, it has no life at all. The reader would consent to share his fancy for vapid lady poetesses if he were not so cruelly unjust to Scott; or would allow him every tipsy Irishman that ever trolled a catch if he would but do the fair thing by Anglican clergymen. Heber's hymns may be all rhetoric, but they not only sing as well as Sankey's, but, moreover, they savor now and again of the rich bastard Greek of Alexandrian fathers. As for Keble, he caught Wordsworth's note and sustained it on a shepherd's pipe and wrote at least one line which, because it expresses the very spirit of the Mother Church of England, will not lightly die. The author seems often a poetical *femme incomprise;* nobody quite serves his turn, nobody is quite good enough for him. A few of the restless, uneasy notices are of graver stuff, of very sad and tragical stuff, alas! Always the author is hunting solace for troubled hearts, and he cannot find it and discusses his poet as wearily as a feverish child. He would seem like one sick at soul, who craves from poetry the peace and blessedness that are not within him and that no man can find unless he brings.

Mr. Chesterton goes over the old ground and does lofty tumbling in his book on "George Bernard Shaw,"† but wearily. He has not a single new turn to evoke applause. About the whole scheme, one friend writing up another of those tenets he approves

* "The Romantic Movement in English Poetry." By Arthur Symons. New York: E. P. Dutton & Co., 1909.

† "George Bernard Shaw." By Gilbert K. Chesterton. New York: John Lane Company, 1909.

in no single respect, there is a thought too much of the sawdust, of the tongs and the bones. The outcome is what any man could have foreseen: he begins by clapping his subject hilariously on the back, then he trips up his heels, lastly he sticks a knife between his ribs. The strongest evidence of what is worse than anything Mr. Chesterton says is Mr. Shaw's sanctioning his sayings. Life, whatever those two men may think, is grave and not buffoonery; and man, like the subject of man's worship, is noble, too noble for meretricious book-making. Mr. Chesterton's admirers will read to see what he says, Mr. Shaw's to see what is said; those who are neither to see how the strange creatures have clapper-clawed each other. Incidentally Mr. Chesterton draws rather a pretty, gentle picture, not unlike the ladylike portrait of Shelley and the sisterly account of Keats. Those who have the subject's acquaintance, however, say that the whole truth is not set down here, and that the dramatist is more of a man than the essayist makes him out. Be that as it may, the Puritan, Progressive and Philanthropist, cuts a better figure than the paradoxical reactionary who tries so nimbly to put a spoke in his wheel, to block his game, to depreciate his conclusions. Only two things can give point and savor to a paradox—genius and animal spirits. He lacks the one and has lost the other. The zest is gone from his fooling, the youth from his absurdities.

The neat green volumes of "The Reader's Library"* seem planned for a special place and likely to fill it. They are not so much for those who know books and love them, as for those who long to know them. A man will learn a great deal in reading the introductory essays and tempting bypaths will beckon him, interesting outlooks grow familiar. The two volumes on "Letter-Writers" express not a little taste and sympathy and cut a remarkably wide swathe, being chosen more for what they say than for their way of saying. The volume on the "Essayists" suffers more seriously from the same preoccupation with content and indifference to form, for it is made of scraps and snippings after the fancy of the editors. The introductions to the several sections are helpful, but by their very completeness

* "The Reader's Library." "The Great English Letter-Writers," Vols. I and II. By William J. Dawson and Coningsby W. Dawson. "The Great English Essayists." By William J. Dawson and Coningsby W. Dawson. New York: Harper & Brothers.

they discredit the extracts. The essay is as much a literary *genre* as the play or the sonnet; and like these it has beginning, middle and end which should be respected. There is a rather touching stress throughout on the obscurer men of letters, and a care to single out such and commend them for which all readers owe especial gratitude; here and there is real treasure-trove.

Here is matter exciting enough offered in four hundred measured pages in long, smooth, unruffled paragraphs as tranquilly as a Sunday sermon.* Mr. Brownell is beyond dispute the most admired American critic now living. In this rôle he sets up Cooper, knocks down Hawthorne, pats Emerson on the back, turns Poe out-of-doors entirely, and is consistently and temperamentally on the offensive toward Mr. James. He has manifestly two standards—one for the great dead, the other for his contemporaries and friends; for while Shakespeare and Dante are nothing like good enough for him, he awards the only unqualified praise to some college professors and editors still with us. If Mr. Brownell has amused himself a little at the reader's expense, with his sliding scale of values, his apparent contradictions that resolve themselves into subtle paradoxes, his whimsical severity toward his own greater prototype in American letters, the urbane and genial Lowell, the reader may take honorable and friendly revenge by recollecting that no man save at his own peril can praise Thackeray without qualification or lean on Arnold in critical judgment. Mr. Brownell is always serious, reflective, weighty, and he gives us here matter aplenty for a month's reading.

FICTION.

It has long been evident that there was a master in Devon. Just as it was clear when Hardy set the finishing touches to the "Return of the Native" that a master was creating, so now it is clear that another great writer is at work in the neighboring shire.† A wonderful drama is this of the sea and the sky and the earth and the creatures that move over the surfaces. Here we find the simple truth, the intimate reality of the face of

* "American Prose Masters." By W. C. Brownell. New York: Charles Scribner's Sons. 1909.

† "The Haven." By Eden Phillpotts. New York: John Lane Company, 1909.

the earth and keen observation of all its tender and beautiful decorations, the furze, the bracken and the blackthorn, the meadows and the gorse, the great cliffs with their turrets, needles, scarps and counterscarps, and the changing faces they offer to the wheeling lights of night and day; here we have, too, all the shifting and unstable kingdoms of the sea. In a setting so lovingly and tenderly observed that it seems alive with a life all its own we have the moving pageant of a village full of folk. Nor is this world of people slightly built or fragile. When we come to the end we know each one as though we had been born and bred in Brixham where Berry-Head looks out over Tor-Bay. There is Holy John of great faith to whom, because he waits upon the Lord with patience, all things come at last; there is Lydia, the passionate and brave; Dick Varley, a beloved vagabond and a true philosopher; there is the lugubrious Emma Michelmore, who shed tears like the South wind because it was her nature so to do; there is Samuel Brokenshire, a village epicurean and a radical among conservatives; there is the delightful Titus Peach with the shell grotto in his garden and delightful activities among the colors of the barking yard; above all, there is Ned Major and Dorothy Honiwell and their beautiful, rustic idyll at Berry Farm on the cliffs. If in a novel so true to life, so impartial in meting out interest to the human creatures who are busy on the breast of the earth, one can be chosen as hero, it is perhaps Ned Major who holds our hearts from the first chapter at his mother's grave to the last, where at turn of tide he stands out on the bow of the boat and sees the old moon rise and disappear in the cloud banks while the morning watch shivers into being along the ridges of the sea. If in reading this novel one makes a constant silent comparison with the "Return of the Native" the one chapter in which Ned Major's romance flowers can only be compared with the famous chapter in "Richard Feverel," the "Diversions on a Penny Whistle." Eden Phillpotts belongs to the great tradition, and this is the greatest novel he has produced so far. No; great art is not dead. Greatness is busy upon the earth and will be forever.

It is difficult to produce an exact English equivalent for *Sehnsucht*. It is a Teutonic affection of the soul, usually com-

pact as is this story,* which bears the word as a subtitle, of sentimentality, scenery and sadness. The scenery here is excellent, the sadness intermittent and the sentimentality more or less interesting. If in no wise a great book, this story is prettily told, touching and delicate and ranks high above our own second-rate fiction.

Beyond question those will most enjoy "Penguin Island"† who best know the history of contemporary France, for it is all there, writ so plain that he who runs may read if he has also read the newspapers. But even the most cursory knowledge of events, from the Dreyfus affair to the Steinheil case, even blank ignorance, if such were conceivable, could not keep any one from enjoying the fine, strong irony of Anatole France, the delicate and merciless appreciation of human fallibility, the instinct strong as a coursing dog's, for all the doublings and self-deceptions in our play of motives. The first third of the book, moreover, dealing with the untoward baptism of the Penguins, the consequent necessity of endowing them with souls, and the development into modern civilization of these perfectly normal souls, is of universal and irresistible application. Nothing escapes him, nothing escapes from him. The most bigoted partisan of the archaic is wooed into inextinguishable delight by the chapters on the Penguin Primitives; the faithfulest hagiographer, the most impassioned lover of the saints, by those on S. Maël. The great tradition of satire throughout the ages awakes and speaks; Aristophanes, Lucian, Rabelais and Swift acclaim a younger brother. He writes in the ancient French vein, the vein of Voltaire as well as Rabelais; he offers the Gallic salt and the great laugh. Yet the tone is exquisite, the touch deft and dexterous past belief, and through and under all runs a delicate thread of tenderness almost, towards the creature kind, towards men who toil and suffer, towards poor, absurd human nature. Out of the Garden of Epicurus, out of that comprehension which, understanding and pardoning all, smiles indulgently, comes this memorable and irresistible piece of whimsical history.

* "Funchal." By Norbert Jacques. Berlin: G. Vischer Verlag, 1909.
† "Penguin Island." By Anatole France. A translation by A. W. Evans. New York: John Lane Company, 1909.

Mr. Hichens has taken for his "Bella Donna"* a type somewhat similar to that of Sudermann's Lily, but he has not done so well by it. He has elevated the lady's birth, her character, her social surroundings. Writing for a race that Continentals call hypocritical and that ourselves call delicate-minded, he could do no better probably. The penalty is that as we do not believe in his smart people we suspect equally his Egyptians. As for his Nile, it is not half so good as his desert. What a man has once done well he should painfully avoid recalling. He has learned structure from French masters, but he has been a little demoralized of late by the success of certain unwieldy novels of quite another sort. This is a little too like its own stream of the Nile, morbid, ceaseless, marked only by eddies and windings. The great novels are carved out of life or built up of psychology. There is no third sort. Yet this is very readable.

The privilege of getting to the heart of the past is one of the few compensations humanity possesses for its perpetual misunderstanding of the present. But it is a privilege open at first hand to but few. There is no single key that will unlock the verities of a dead age. History will not if by history is meant a mere chronicle of events, of battles, diplomacy and the rise and fall of States, or even if it essays its nobler function of tracing the course and progress of the movements that have shaped thoughts and beliefs and the constitution of society. Romance will not unless, as in "*Romola*," it is buttressed by an abounding knowledge and the genius that can sympathize and portray, and unless, too, it preserves a happier balance between fact and fancy than George Eliot was able to maintain. A very rare conjunction of qualities is necessary if an attempt to reconstruct and visualize the past is to satisfy our sense of truth and our sense of life. The brain to master the accumulations of research instead of being fettered by them, the eye to distinguish the essential, revealing fact or trait or custom in events and men and society, the power of dramatic imagination moving, tense and concentrated, as familiarly among bygone days as one moves about one's house, the sensibilities to capture the spirit and standpoint and search the

* "Bella Donna." By Robert Hichens. Philadelphia: J. B. Lippincott Company, 1909.

soul and emotions of men and women three hundred years in their graves, and, lastly, the incommunicable art that will present the whole with a flashing nearness—all these are needed, and with them all the author of "Gentleman Errant"* is generously equipped. Mrs. Henry Cust has, indeed, produced a fascinating and brilliant book. Taking four old German chronicles of the later Middle Ages, she follows the hero of each one of them through his journeyings and adventures over western Europe, weaving them into a narrative that is an admirable mingling of archaic quaintness and modern vivacity. Steeped in the spirit and literature of the period, prolific of the happiest notes and illustrations, she carries her weight of erudition with a most gallant and seductive grace. And what a period it was that these annals so delightfully cover:

"Within this century and a half—that is, from about 1450–1600 happen the Renaissance, the Reformation and the Counter-Reformation; the distribution of the printing-press, the revelations of Copernicus and the discovery of America; the growth, the triumph and the disintegration of the Holy Roman Empire; the evolution of England from the brilliant adolescence of the Plantagenets to the splendid maturity of the Tudors; the transformation of France from the formless impotence of half-dead feudalism to the ordered might of an absolute sovereignty; the conversion of Spain from a land of chaos to a land in bondage to the uttermost letter of law and orthodoxy; the abasement of Italy through the indignity of her politics and the exaltation of Italy through the supremacy of her art. And though these chronicles are but scattered pebbles on a crowded shore, though their heroes pass strenuous lives in almost perfect ignorance of the vast movements that are surging round them, yet even the meanest has not remained untouched by the mighty tide."

It is, indeed, one of the engrossing charms of this volume, that against this prodigious background, now bright, now thunderous, but always quick with the forces and ferment of unsuspected change, are set with consummate realism the lives and doings, the petty interests and passions, of four typical knightly figures. We see them exactly as they were and as they moved, where and in what state they journeyed, how they dressed and feasted and gambled and fought and courted and danced their little dashing lives away. We follow them from Salisbury to

* "Gentlemen Errant"; being the Journeys and Adventures of Four Noblemen in Europe during the Fifteenth and Sixteenth Centuries. By Mrs. Henry Cust. New York: Dutton & Co.

Cracow and from Portugal to Denmark, through "the humming plains of Burgundy and Flanders, the leafy parks of England, the mellow gardens of France, on the desolate Spanish uplands and in the fruit-filled Spanish valleys, among the lovely streets and lawless highways of Italy," now lodging in the squalid sties of Poland, now camping on the dreary battle-fields of the Low Countries. All the tumult and color of the time, the ceremonies, miracles, customs, characters, revels, courts, superstitions, the external aspects and internal economy of country after country, are here compressed and cut and polished for us in five hundred unflagging pages. It is the human, intimate, picturesque details of a resounding epoch that Mrs. Cust has preserved for us, embroidering them with the deftest fingers on to the records of her four gentlemen errant. Her style is precisely suited to her purpose and subject—full of life and rhythm and swift, sure movement; eloquent, ornate and telling; a rich and glittering setting for the splendid animation of the pageant she unfolds. We know of no book quite like this. It is at once history vitalized by translation and condensation into a handful of intensely human personalities; romance deriving fresh interest and realism from history; and both history and romance illuminated by deep and vivid learning and linked by an exquisitely adjusted art into a sequence of living narratives. In other words, the book has completely succeeded in the aim which one presumes Mrs. Cust set before her—that of displaying the fifteenth and sixteenth centuries in Europe as eras not alone of great movements, but of breathing men and women, and of showing us, in a succession of graphic instances, the bent of their minds, the nature of their surroundings, their habits and appearances, their shifts and triumphs, and the strange, wild, flaming thing they made of life. In these four gentlemen errant Europe as it was between the taking of Constantinople and the defeat of the Spanish Armada lives again before us, now gruesomely, now charmingly, at times a riot of war and waste, at times a splash of primitive splendor, but vital and enthralling always. It is a very real and a very welcome addition to our store of knowledge and entertainment that Mrs. Cust has made.

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ONE YEAR OF MR. TAFT.

BY EDWARD G. LOWRY.

Mr. Taft has been President of the United States one year. When he came into office he did not have a single political or personal enemy. He had been elected by the largest popular vote ever given any candidate for the presidency. Democrats vied with Republicans last March in their expressions of friendship and esteem for the new President. Never, perhaps, did a President enter office under happier conditions. He had the esteem, the good-will and the hearty good wishes of all of his countrymen. His campaign had caused no rancors or bitterness. The future was as clear as his present was then peaceful. Now, one year later, there undeniably exists a certain lack of confidence in the Taft Administration, a certain doubting, a disposition to reluctantly withhold adverse judgment, or, among extremists, downright disapprobation. Clearly there exists an honest doubt in the minds of thousands of worthy and reputable persons of President Taft's courage, of his devotion to the general welfare, of his desire to enlist on the side of the weak against the strong. As it is commonly phrased in the political jargon of these doubters, Mr. Taft is not a sincere believer and upholder of the "Roosevelt policies." He has (they say) aligned himself with the "reactionaries" with whom his natural sympathies lie.

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It does not matter that these doubts are without any real basis. It does not matter that he is plentifully endowed with courage. It does not matter that the motives influencing his conduct are transparently lofty and simple, and that he is honest with himself and in his public relations to a degree apparently little realized by those who do not know him. It was only a little while ago as political history goes that only an insignificant minority of the people of the United States had any faith in the honesty, integrity, and pure motives of Grover Cleveland. However, these are not things for present consideration. The fact under scrutiny is that President Taft does not command unreserved popular confidence. He has, it is widely reported, "lost ground" since his election. My purpose is to endeavor to set forth what I conceive to be the causes of the present lukewarmness in various sections of the country toward Mr. Taft's Administration, and the suppressed hostility which it is encountering in other quarters.

The main causes, as I see them, that render Mr. Taft suspect in the minds of those who doubt his devotion to the public interests lie (*a*) in the circumstances of his nomination and election, (*b*) disappointment over the tariff bill and (*c*) Mr. Taft's speeches at Boston, Massachusetts, and Winona, Minnesota, delivered in September last at the beginning of his "swing around the circle." Minor contributing causes have been the nimble squirming around the provision of the Constitution which would have prevented Mr. Knox from becoming Secretary of State, the not so flagrant evasion of the constitutional prohibition which prevented A. T. Stewart (during Grant's Administration), but allowed Franklin Mac Veagh to become Secretary of the Treasury, what has come to be known as the "Crane incident," and the Ballinger-Pinchot feud.

Toward the close of his administration Mr. Roosevelt concerned himself largely with the choice of his successor. He wanted a President to succeed him in the White House who would "clinch my policies." He was a long while making up his mind. For a time he was undecided as between Elihu Root, his Secretary of State, and William H. Taft, his Secretary of War. He thought at one time that Mr. Root might do or say something on his tour of South America that would capture the popular imagination to a degree to give him "availability" for the Republican nomination for the Presidency. I don't know whether Mr. Root ever had

this idea or not, but after he returned home he made speeches in the Mississippi Valley and elsewhere apparently designed to attract popular attention and enlist political interest. There followed no marked popular response. At any rate, Mr. Root presently dropped out of Mr. Roosevelt's calculations, leaving Mr. Taft alone in the running.

The Secretary of War proved a most reluctant candidate. He was overborne in his desire not to make the contest for the nomination. When the idea or plan, call it what you will, was broached to him Mr. Taft said his ambition did not lie in the White House. He had hoped to round out his public career on the bench of the United States Supreme Court. His desires and training all led that way. But the persuasions of Mr. Roosevelt, and perhaps others nearer to Mr. Taft, proved potent. It is, perhaps, not widely nor commonly known that at one time before Mr. Taft's consent had been obtained, Charles E. Hughes, Governor of New York, was Mr. Roosevelt's second choice for the Republican nomination. If Mr. Taft had not been finally induced to make the race it seemed probable at one period that the whole weight of Mr. Roosevelt's influence, prestige and skill in political manipulation would have been thrown to Governor Hughes.

However, Mr. Taft was induced to make the contest for the nomination. Frank H. Hitchcock was employed as his political manager and at once began under the tutelage and advice of Mr. Roosevelt the hunt for delegates, which ended at Chicago on June 18, 1908, when William H. Taft, of Ohio, was nominated for President in the Republican National Convention on the first ballot, the vote being William H. Taft, 702; Philander C. Knox, of Pennsylvania, 68; Charles E. Hughes, of New York, 67; Joseph G. Cannon, of Illinois, 58; Charles W. Fairbanks, of Indiana, 40; Robert M. La Follette, of Wisconsin, 25; Joseph B. Foraker, of Ohio, 16; Theodore Roosevelt, of New York, 3. Mr. Roosevelt absolutely dominated the convention which nominated Mr. Taft. He was in constant communication over the long-distance telephone between Chicago and Washington with Mr. Hitchcock and others managing Mr. Taft's affairs before the convention. He was consulted before any important step was taken, and his wishes were deferred to, and his orders obeyed. That, I think, hardly will be disputed by any one who attended the convention and who was familiar with what was being done at the time.

Mr. Taft does not lack clarity of mind, and he recognized fully his indebtedness to Mr. Roosevelt. He knew then that he could not be nominated without Mr. Roosevelt's assistance, and that he would not have been nominated lacking Mr. Roosevelt's aggressive determination that he should be. In the period after he became an avowed candidate and before his nomination, Mr. Taft was often urged by his personal friends to separate himself from the Roosevelt Administration; to resign his post in the Cabinet. This he stoutly refused to do, and he gave as his reasons that his chief source of strength lay in his connection with President Roosevelt, and the known fact that he was the President's choice. There was no vagueness in Mr. Taft's mind as to the relative popularity and "strength" of himself and Mr. Roosevelt with the voters. Mr. Roosevelt derived his political power and prestige directly from the people; Mr. Taft derived his political power and prestige from Mr. Roosevelt. This was so clear to the Republican nominee that he travelled from Virginia to Oyster Bay to show his letter of acceptance to Mr. Roosevelt, and to have the then President give it his *visé* before it was made public. The propriety of this action was sharply criticised at the time, but as it appeared later it did not hurt Mr. Taft at the polls, nor impair his chances of election.

The Roosevelt dominance continued through the campaign leading up to the election in November. Mr. Taft's campaign began slowly and badly and sagged horribly until Mr. Roosevelt injected his personality into it and began to write his series of Monday morning letters to Mr. Bryan. Personally, I doubt whether Mr. Taft ever had as much of the popular confidence as he is now popularly credited with having lost. During the two months preceding election day, in the autumn of 1908, I travelled through Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, and West Virginia, and found such a strong undercurrent of feeling, if not against Mr. Taft, at least of lukewarmness toward him, that it led me to believe Mr. Bryan would poll a larger popular vote than he had ever received before. The sentiment then encountered manifested itself on election day in replacing Republican Governors and Republican Representatives in Congress with Democrats.

As the campaign progressed and as Mr. Taft's interest in his own candidacy grew and the quality of his speeches im-

proved, he made friends for himself. The impression that he made, coupled with Mr. Roosevelt's thoroughgoing backing and recommendation, was sufficient to induce 7,637,676 people to vote for him. But I question whether there is even to-day in the United States what the politicians would call a "Taft vote." I mean such a distinctively personal, coherent, visual, tangible, loyal following as has been demonstrated to exist for Fitzgerald, in Boston, Hearst, in New York City, and Roosevelt and Bryan in the nation. These followings have been carefully nursed into existence and sedulously built up and conserved, and represent years of effort. They are not spontaneous creations. Using the term in this sense I do not believe there is a "Taft vote," as one commonly speaks of the "Hearst vote" or the "Bryan vote."

It was the "Roosevelt vote" that elected Mr. Taft. It was this "vote" that accepted Mr. Taft at Mr. Roosevelt's word. In the vernacular it was demonstrated to the politicians that Mr. Roosevelt could "deliver" his "vote." That is why I question whether Mr. Taft ever had all of the popular confidence which he is now so widely reported to have lost. That complete public confidence is lacking is generally assumed to be true, but how much of it has been "lost"? It is not entirely possible and most probable that a great following of voters who accepted Mr. Taft at Mr. Roosevelt's valuation are now beginning to question whether that valuation was a just one? Why should they question it? One ventures to offer this explanation.

Mr. Roosevelt interested, entertained, provoked the curiosity of, antagonized, aroused and dazzled the people of the United States. Persons who came in contact with him either heartily liked or heartily disliked him. Sometimes they alternately did both several times in the brief space of a week. He had to a surpassing degree qualities that attract attention and provoke comment and discussion. He absolutely could not be disregarded. Now Mr. Taft has none of these qualities. May it not be that the present feeling toward Mr. Taft is comparable with the experience of one who has been living on spices and peppers and highly seasoned foods and, being put upon a wholesome normal diet, after a time cries out: "It is not hot enough. Give me something that bites and scratches as it goes down. That's the sort of thing to which my palate is accustomed."

To these people, grown accustomed to the fury and storm

speed and high pressure of seven years and a half of Mr. Roosevelt's top-note administration, the comparative quiet and calm of Mr. Taft's even way must seem like the day after the Fourth of July. They have been educated to believe that nothing is true or wise or sincere unless accompanied by a blinding flash and a loud niose. Loss of the confidence of the people on this score is based on so impalpable and uncertain a thing as political psychology. The loss of confidence in Mr. Taft, traceable to disappointment over the new tariff law, does not lie in the realm of supposition and conjecture. It is a concrete thing which may be grasped and handled firmly.

When Congress met in extraordinary session last March immediately after the inauguration of President Taft for the single purpose of revising the tariff, the country at large confidently expected that the revision would be "mainly downward." The people had been led to expect this by President Taft's speeches while making his campaign for election. It is not going wide of the mark to say that those expectations have not been fulfilled; that the Aldrich-Payne tariff law as a whole has not met with the approval of the country. The seven Senators who voted against the final passage of the bill are largely if not wholly responsible for this. They provided the only opposition worthy of the name which the bill met from its inception until it was signed by the President. It is not profitable to inquire here whether they were right or wrong, but they did succeed in crystallizing public opinion against the law, and particularly in a section of the country where to-day, from all accounts, Mr. Taft is least in favor.

There is a wide-spread public conviction that Mr. Taft could have obtained more and greater reductions in the tariff rates had he set himself to the task earlier in the tariff session, and there is no ground for doubt that his failure to assist the men who protested against the terms of the bill before it became a law, and his subsequent commendation of the framers of the bill in his Winona speech, have acted forcibly and directly to create doubts of his sympathy with the great body of the people in the minds of many persons who are anxious to think well of him. Almost equally unhappy from the view-point of political popularity and public confidence was his commendation of Senator Aldrich in a speech made at Boston last September on the eve of his Western tour. Whether rightly or wrongly, a great body of intelligent voters in the up-

per Mississippi Valley and the West are fully persuaded that Senator Aldrich typifies and personifies all that is worst, most sinister and most menacing to the public welfare and general good in national public life. When President Taft rather went out of his way to say a few kindly words about Senator Aldrich he did nothing to efface this firmly held impression, and he made himself suspect. Coming on the heels of the tariff bill, of which Senator Aldrich had been the chief maker, it shocked and amazed that great body of the electorate which had been educated to believe that the Senator from Rhode Island represents the sum of political unworthiness. By way of simile and not comparison, it was as if one already faintly suspicioned of heresy had proclaimed his belief that Benedict Arnold had been sadly misjudged by history.

It was known almost a year in advance of the national election held in November, 1908, that if the Republicans were successful an extra session of Congress would be called immediately after the inauguration to revise the tariff schedules. Much was expected of President Taft by the ardent downward revisionists. As long before his election as September 5, 1906, when Mr. Taft was a prospective candidate for the Presidency, he said, in the course of a thoroughly digested speech delivered at Bath, Maine:

"How soon the feeling in favor of revision shall crystallize into action cannot be foretold, but it is certain to come, and with it those schedules of the tariff which have inequalities and are excessive will be readjusted."

That, in the haggard phrase, was the "opening gun." It was Mr. Taft's first declaration for revision, and by purposely employing the word "excessive" he plainly indicated revision downward. Only a few days elapsed before he again declared himself to the same effect at Columbus in his native State of Ohio.

By February 10, 1908, Mr. Taft was openly engaged in his campaign for the Presidential nomination. On that day he said in a speech at Kansas City, which was given the widest circulation:

"In the ten years which have elapsed since the enactment of the Dingley tariff, the conditions have so changed as to make a number of the schedules under that tariff too high and some too low. This renders it necessary to re-examine the schedules in order that the tariff shall be placed on a purely protective basis. By that I mean that it should

properly protect against foreign competition, and afford a reasonable profit to all manufacturers, farmers, and business men; but should not be so high as to furnish a temptation to the formation of monopolies to appropriate the undue profit of excessive rates."

Following this, in his letter of acceptance dated July 28, 1908, Mr. Taft declared:

"The tariff in a number of schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production, and the sale of such articles in this country to profit by the excessive rates. On the other hand, there are some few other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those, the tariff should be raised."

Speaking at Cincinnati on September 22nd, last, after he had been nominated, Mr. Taft asserted in plain words that:

"The Dingley tariff has served the country well, but its rates have become generally excessive. They have become excessive because conditions have changed since its passage in 1896. Some of the rates are probably too low, due also to the change of conditions. But, on the whole, the tariff ought to be lowered."

Another of Mr. Taft's utterances on the tariff was this:

"It is my judgment that there are many schedules of the tariff in which the rates are excessive, and there are a few in which the rates are not sufficient to fill the measure of conservative protection. It is my judgment that a revision of the tariff in accordance with the pledge of the platform will be, on the whole, a substantial revision downward, though there probably will be a few exceptions in this regard."

The platform adopted by the Republican convention in Chicago, which nominated Mr. Taft, did not declare specifically for a revision downward. But Mr. Taft interpreted it as promising "revision, mainly downward." His lead was followed by practically all of the Republican stump-speakers in the campaign that followed the convention. This was particularly true in the States comprising the section known as the Middle West. The call to scale the schedules did not come from the Republican party managers, nor from the protected beneficiaries of the Dingley tariff. It came from the ultimate consumer. President Taft had made himself the accredited spokesman and acknowledged champion of that legendary person. The new tariff law was to remove burdens from his shoulders; it was to reduce the cost

of necessities; it was to more equitably distribute the burden of taxation; it was to eliminate unjust taxation; it was, broadly speaking, to make the cost of food, clothing and shelter less to the millions of men in this country who have in the past ten years seen their living expenses mount while their income remained stationary or decreased through no fault of their own. The need, the reason and the source from whence came the demand upon Congress to lower the tariff schedules were all as clearly known as anything can be.

When the tariff bill was on its final passage in the Senate seven Republican Senators affirmed and maintained that the ante-election pledges and promises of President Taft had not been kept; that the bill which was to be sent to the White House for signature did not revise the tariff downward. They offered one concrete illustration and specific instance after another to support their assertions. When President Taft signed the tariff and made it law late in the afternoon of August 5th last, he said:

"The bill is not a perfect tariff bill or a complete compliance with the promises made, strictly interpreted, but a fulfilment free from criticism in respect to a subject-matter involving many schedules and thousands of articles could not be expected. It suffices to say that except with regard to whiskey, liquors, and wines, and in regard to silks and as to some high classes of cottons—all of which may be treated as luxuries and proper subjects of a revenue tariff—there have been very few increases in rates."

Nevertheless:

"I have signed the Payne tariff bill because I believe it to be the result of a sincere effort on the part of the Republican party to make downward revision, and to comply with the promises of the platform as they have been generally understood, and as I interpreted them in the campaign before election."

Just there is the point of difference, and one which in my opinion lies at the bottom of the state of the public mind toward President Taft as is being manifested by a suspended judgment or adverse criticism more or less veiled. When the Republican Senators who voted against the tariff bill went home after the tariff session, they were received in their own States with every manifestation of public approval and popular applause. From other States and from other parts of the country not a disinterested voice was raised against the course they had pursued. The full measure of public approbation meted out to the makers

of the tariff bill was confined to the men who steadfastly opposed it to the end and voted against it. Thus matters stood last September when President Taft began his Western tour. He made his first speech at Boston on the evening of September 14th, at a dinner given by the Chamber of Commerce. These words of his were quickly picked up and spread over the country:

"I am told that Mr. Aldrich will 'swing around the circle' in the present fall, and will lecture in many of the cities of the Middle West on the defects and needs of our monetary system. I cannot too strongly approve of this proposal. Mr. Aldrich, who is the leader of the Senate, and certainly one of the ablest statesmen in financial matters in either House, has been regarded with deep suspicion by many people, especially in the West. If, with his clear-cut ideas and simple but effective style of speaking, he makes apparent to the western people what I believe to be his earnest desire to aid the people and to crown his political career by the preparation and passage of a bill which shall give us a sound and safe monetary and banking system, it would be a long step toward removing the political obstacles to a proper solution of the question."

From Boston Mr. Taft went to Winona, Minnesota. This is the home of Representative James A. Tawney. Mr. Tawney was the only Republican representative from Minnesota in either branch of Congress who did not vote against the tariff bill. Consequently, he was in trouble with his constituents. Winona was obviously chosen by Mr. Taft for his first public review of the new tariff law to help Mr. Tawney regain the good graces of the voters who had sent him to Congress, and who will be asked to re-elect him next November. After asserting that of the 2,024 items in the Dingley law, the rates of duty on 654 had been decreased, the rates on 220 increased, and the duties on 1,150 left unchanged by the new Aldrich-Payne law, Mr. Taft said:

"What I promised was, that there should be many decreases, and that in some few things increases would be found to be necessary; but that on the whole I conceived that the change of conditions would make the revision necessarily downward—and that, I contend, under the showing which I have made, has been the result of the Payne bill. . . . Now it is said that there was not a reduction in a number of the schedules where there should have been. It is said that there was no reduction in the cotton schedule. There was not. . . . Now, I am not going into the question of evidence as to whether the cotton duties were too high and whether the difference between the cost of production abroad and at home, allowing for a reasonable profit to the manufacturer here, is less than the duties which are imposed under the Payne bill. It was a question of evidence which Congress passed upon, after they heard the statements of cotton

manufacturers and such other evidence as they could avail themselves of. I agree that the method of taking evidence and the determination was made in a general way, and that there ought to be other methods of obtaining evidence and reaching a conclusion more satisfactory. . . .

"With respect to the wool schedule, I agree that it is too high and that it ought to have been reduced, and that it probably represents considerably more than the difference between the cost of production abroad and the cost of production here. The difficulty about the woollen schedule is that there were two contending factions early in the history of the Republican tariffs, to wit, wool-growers and the woollen manufacturers, and that finally, many years ago, they settled on a basis by which wool in the grease should have 11 cents per pound, and by which allowance should be made for the shrinkage of the washed wool in the differential upon woollen manufactures. The percentage of duty was very heavy—quite beyond the difference in the cost of production, which was not then regarded as a necessary or proper limitation upon protective duties. When it came to the question of reducing the duty at this hearing in this tariff bill on wool, Mr. Payne, in the House, and Mr. Aldrich, in the Senate, although both favored reductions in the schedule, found that in the Republican party the interests of the wool-growers of the Far West and the interests of the woollen manufacturers in the East and in other States, reflected through their representatives in Congress, was sufficiently strong to defeat any attempt to change the woollen tariff, and that had it been attempted it would have beaten the bill reported from either committee. I am sorry this is so, and I could wish that it had been otherwise."

Now, "what was the duty of a Member of Congress who believed in a downward revision greater than that which had been accomplished, who thought that the wool schedules ought to be reduced, and that, perhaps, there were other respects in which the bill could be improved?" This was Mr. Taft's answer to his own question:

"All I have to say is, in respect to Mr. Tawney's action [voting for the Payne bill] and in respect to my own in signing the bill, that I believed that the interests of the country, the interests of the party required me to sacrifice the accomplishment of certain things in the revision of the tariff which I had hoped for, in order to maintain party solidity, which I believe to be much more important than the reduction of rates in one or two schedules of the tariff. Had Mr. Tawney voted against the bill, and there had been others of the House sufficient in number to have defeated the bill, or if I had vetoed the bill because of the absence of a reduction of rates in the wool schedule, when there was a general downward revision, and a substantial one, though not a complete one, we should have left the party in a condition of demoralization that would have prevented the accomplishment of purposes and a fulfilment of other promises which we had made just as solemnly as

we had entered into that with respect to the tariff. When I could say without hesitation that this is the best tariff bill that the Republican party has ever passed, and, therefore, the best tariff bill that has been passed at all, I do not feel that I could have reconciled any other course to my conscience than that of signing the bill, and I think Mr. Tawney feels the same way."

There is the whole case of the downward revisionists against President Taft. Mr. Taft's ante-election pledges and promises are in harmony and agreement with his comments on the tariff bill which he signed, but he believed that a bill which was "not a perfect tariff bill or a complete compliance with the promises made," and in which the wool schedule "is too high and ought to have been reduced," was, on the whole, "the best tariff bill that the Republican party ever passed, and therefore the best tariff bill that has been passed at all," should have been supported and voted for by Republican representatives in Congress "in order to maintain party solidarity, which, I believe, to be much more important than the reduction of rates in one or two schedules of the tariff." The Republican Senators and Representatives who voted against the tariff bill did not agree with Mr. Taft. It is perfectly obvious to-day that their home constituencies as well as many voters in other States support them in their difference with the President.

I doubt whether this uncertainty, this attitude of questioning now manifested toward the Taft Administration and the uprightness, honesty, purity and courage of its motives and convictions will last. Mr. Taft has the capacity and the desire to write himself down in history among the best of our Presidents. For a man who has spent his working-life in political posts of one sort and another he is singularly and absolutely destitute of any skill or understanding of the "game" of politics. He probably did not realize what hurt it would do his prestige before a large element of his countrymen when he praised Senator Aldrich in his Boston speech. The chief fault that his friends have found with his Administration has been his too great fondness and undue valuation placed upon harmony and compromises that left both sides dissatisfied.

The people of the United States do not know Mr. Taft yet, and he is suffering under that disability. Men in any conspicuous position in public life of this country who remain on the na-

tional stage long enough are estimated shrewdly and accurately and given their proper place and valuation in the scale of public respect and public esteem. Mr. Taft is not the only example of a candidate for the Presidency who was nominated without any overwhelming public sentiment behind him, and without being thoroughly known to the national electorate, but he is, perhaps, the only President who was ever elected under such circumstances. The events of to-day prove that Mr. Taft was not known to his countrymen when they made him President. They are studying him and finding him out.

I have found that the persons who have been most closely associated with Mr. Taft throughout his public career have no doubt as to his ultimately gaining in his own right and his own name the confidence of those voters who put him into his present office. Among these are persons who concede that Mr. Taft's attitude toward the tariff bill while it was in the making, and his attitude toward the Republican "progressives" who sought so zealously and intelligently but ineffectually to have the bill drafted nearer the standard of downward revision to which Mr. Taft was pledged, was a political blunder of the first consequence, of which he is now reaping the effects. They concede, too, that his praise of Senator Aldrich came at an inopportune time, did no good, and was gratuitously unnecessary. Nevertheless, these good people maintain that the people of the United States will forgive honest blunders in their Chief Executive when they are once thoroughly convinced that no suspicion attaches to motives; that there is no taint of chicanery or deceit. It is commonly apprehended by these persons who know the President best that before the end of his present term his disinterestedness, unselfishness and genuine devotion to the common weal will become common knowledge.

EDWARD G. LOWRY.

THE DEMOCRATIC IDEAL AND THE CHRISTIAN CHURCH.

BY CHAUNCEY B. BREWSTER.

EVERYBODY knows the definition of Democracy in those immortal words of Lincoln at Gettysburg, words for which he was indebted to the Boston preacher, Theodore Parker, who, in language that may be traced back beyond him, had spoken of government "over all the people, by all the people, for all the people." This is Democracy. There is, however, here involved something more than a transfer of power from the crown to the crowd. There is what we may call the democratic ideal. Beyond democratic methods of government is an ideal regarding human nature. That ideal may be described as the recognition of the average man, without regard to length of lineage or purse, not in virtue of any power, position, or possessions, the recognition of his worth as man and of the possibility that this inherent worth may in actual fact be realized. That ideal appears invested with a divine authority as we recognize God in the onward movement of history. Toward the progress of that ideal unique service was rendered by the epoch-making philosopher of Königsberg. Kant turned attention from intellectual processes and endowments, which are exceptional and distinctive of the comparatively few, to that imperative sense of right and duty which is not confined to the few but is a universal possession of human nature. That the essential principle of worth lies not in knowledge but in will is democratic doctrine.

The democratic ideal itself the world owes to Jesus Christ. It is really a cardinal Christian principle. It is involved in the central fact that the Son of God became Son of Man with men; and into the gospel as a whole is inwrought a conception of the value and possibilities of human nature. The democratic ideal may be defined

as the recognition of the personality in all sorts and conditions of men. As such it belongs essentially to the gospel. With the doctrines, hopes, and purposes of any Christianity that in aim and spirit transcends the limits of a mere sect is wrapped up this democratic ideal. Its security depends largely upon the true and faithful witness of the Christian Church.

The democratic ideal might have seemed triumphant in France less than four generations ago. But almost immediately it was trodden down by one after another tyranny. The outlook for Democracy to-day is not what it might antecedently have been supposed to be. The horizon is not free from threatening clouds. Before now the world has seen the outward forms of republican institutions kept on, unchanged, to cloak the fact of despotism, and may have the spectacle again. For their true life, the institutions of Democracy depend upon its ideal, and that depends, more than most men imagine, upon Christianity. If that ideal is to be preserved inviolate for future generations, there will be required ampler recognition and fulfilment of the democracy inherent in Christianity. The Church has a positive witness to bear to the worth, and for the complete realization, of the personality and the personal life in all sorts and conditions of men.

The democratic ideal is menaced in America to-day by various influences and tendencies, for example, indirectly by the lowering of standards and directly by influences that may be described as plutocratic. In the first place, then, the Church's witness will consist in the upholding of high standards. With Democracy goes a tendency to lower standards quite naturally where everybody's judgment is supposed to be of equal value. To almost everybody one thing appeals, money. Thus commercialism comes largely to dominate the life of the people. Wealth accumulates and arrogates to itself power. Democracy may safely coexist with aristocracy where, as in England, it is largely an aristocracy historically bound to serve the State and the public weal. As a matter of fact, in England the body politic is more truly democratic and more sensitive to the popular will than in America. There is a measure of truth even in the paradox of Mr. Price Collier that the House of Lords "is the most democratic institution in England."* It is, one may venture to think, even now,

* "England and The English," p. 61.

and when all is said, in as close touch with the people at large as is the United States Senate. While thus entirely compatible with a genuine aristocracy of service, the democratic ideal is imperilled by a plutocracy which, in the second and third generations, is tempted to assume an emancipation from service. That temptation in America is so insidious and so strong that, although there are not a few noteworthy instances to the contrary, the plutocrat by inheritance is not so likely to be living for the community as to be living off the community. Against plutocratic influences of to-day the Church must faithfully hold up higher standards; must set its face sternly against the vulgarity that means a lack of standards, and that manifests itself in seeking only gain or in devotion to the sole pursuit of pleasure or in flaunting the luxuries and extravagancies of wealth; must persistently endeavor to win men and women to that simplicity wherein lies the true dignity of life and to that purpose of service wherein lies life's value.

The Church may well beware of maintaining such relations with the power of wealth, as to be considered or called an organ of capital. The clergy will by no means engage in the wicked work of exciting class against class. But they will take good care that they do not even seem to be retained in the interest of any privileged class. There are subtle dangers here. In America, for example, there is danger both for the Church and for Democracy in the fact that, while Church influences control almost all the leading schools for boys, the prices at those schools are so high as practically to be well-nigh prohibitory for any but the sons of the rich, and there results in large degree the training up of a wealthy class by itself.

Especially has the Church a prophetic mission to witness to righteousness. The immediate success of a democratic civilization is, for obvious reasons, more likely to be on material lines and to touch the comfort and luxury of the physical accessories of life. There is not the assurance of equal development in taste and intellectual culture. For such a civilization the salt to save from corruption must lie in moral qualities, and the tonic to save from degeneracy in moral endeavor. Inestimable service, then, toward keeping society sound and wholesome is rendered when the Church faithfully proclaims the righteousness that exalteth a nation. It is a needed office to show the personal fac-

tors entering into economic problems and to state those problems in ethical terms. The Christian Church ought to be the prophetic voice, the embodied conscience, of the time. Its witness is to be borne against commercial dishonesty. The business corporation is practically a new kind of individuality. Corporate Christianity may not rightly ignore the conduct and character of corporate associations of men. It ought to show how men can share in responsibilities as well as profits; to bring, as it were, an X-ray to penetrate the tissue of the soulless corporation and reveal personal responsibility for flagrant wrong, which is not less wrong when men are confederate against right. One corporation ought always and unmistakably to be on the side of right, and that is the corporation of Jesus Christ.

The witness to righteousness is to be borne against plutocratic corruption. There is sinister suggestiveness in the reasons given for his taking office by Lorenzo de' Medici, "Lorenzo the Magnificent." "I accepted against my will and only for the sake of protecting my friends and our own fortunes, for in Florence one can ill live in the possession of wealth without control of the government." It was not the last successful attempt by interests of a certain kind to gain control in politics. Stern witness is to be borne against the temptation in democracies to use public power for private gain, against corrupt political methods, the purchase of votes and the sale of law, against prostitution of the trust of office, against the tyranny of a cabal or a boss, against whatever perverts a government of laws, not of men. Standing for the authority of divine law over all human affairs, the Church ought to be indeed a bulwark for the cause of men. There is need to hold up the highest standards and ideals of citizenship. There are indications of a considerable enlargement of the functions of government. If it shall be so, only of the more import becomes the righteous administration of government and the more important, behind it, an intelligent and righteous public opinion. The Church cannot afford to ignore what is implied in the fact of a government that is to be the exponent of all the enlightenment and of all the virtue of a people.

In particular there should be faithful witness against that apathetic supineness, often attendant upon Democracy, which results in the withdrawal, from the burden and heat of civil life, of certain men who owe their country service. That service, it

is true, would be likely to involve some cost, not of money, but of pride, a cost larger in America than in England, where a man may suffer defeat and still gain somewhere else a seat in Parliament. Such cost, however, ought not to weigh against plain duty. Genuine civilization demands the discharge of duty by the *civis,* the citizen, the man in society. That is a fine passage in a letter of St. Augustine where, after referring to Plato's Republic, he uses the language: "There is no limit either in measure or in time to the claims which their country has upon the care and service of right-hearted men," and presently writes: "Now the churches which are multiplying throughout the world are, as it were, sacred seminaries of public instruction, in which this sound morality is inculcated and learned." The Church to-day must not be wanting in the inculcation of civic duty and public righteousness.

That temptation to withdraw from contact with the world assails the Church itself now as always. But to-day there is peculiar necessity that the Church come close with potent touch. Our age is turning from dialectics to dynamics. There is need of guidance and inspiration in a spirit of power. There may well be question whether, in dealing with matters of practical ethics and social right and wrong, the Church is not showing a lack of power and has not need to pray and strive for the spirit of counsel and ghostly strength.

It is, I trust, evident that nothing like a baleful connection with the State is necessarily implied in the office of the Church, from its high standpoint, to inspire, to elevate, and to interpret the democratic State. The Church ought to bear witness to-day, as did St. Paul under the Empire, to the majesty of the civil authority. Because, in a democratic society, humanity collectively in the commonwealth governs itself, none the less, rather all the more, is government to-day, as of old it was declared to be, the minister of God whose image humanity bears. Secular in its outward form it may be, yet in reality the State upholds great spiritual forces without which society cannot be maintained, and itself rests upon everlasting moral foundations. Its authority and life are invested with a dignity of purpose which is more than human and essentially belongs to that law whose seat is the bosom of God.

It is impossible worthily to deal with Democracy by undemo-

cratic methods. It behooves the Church in its own government and administration to exemplify the democratic principle which belongs to its best traditions. That principle has been in a former time too much overlaid by methods that were autocratic and aristocratic. It was quite in keeping with such tendencies for the bishop to dwell apart from the people, sometimes as it is unto this day at Wells, where may be seen the walls about the palace with moat and drawbridge of the fourteenth century.

There is to-day new recognition of the democratic principle, and nowhere more freely than in England. At the recent Lambeth Conference, English bishops expressed plainly their conviction that the Church ought to show a readiness to set its own house in order, and "to model its own system of government on a sound representative and democratic basis." There was adopted by the Conference a resolution that "The ministry of the laity requires to be more widely recognized, side by side with the ministry of the clergy, in the work, the administration and the discipline of the Church." First in the Anglican Communion to provide for an equal representation of the laity was the American Episcopal Church. There is, however, room for question whether, in its councils and on its parish vestries, the actual representation of laymen is sufficiently democratic. Recently Mr. John Burns, in conversation with the writer, pointed with pride to the Labor members of Parliament and to himself in the Cabinet, and said: "In America you have not a single Labor member of Congress." The councils of the Church might be open to a like criticism.

The Church should be true to the democratic ideal in ministration. It ought to be now as it was when the Lord confidently appealed to the fact that the poor had the gospel preached to them. We may well ask if it is so now, and, if not, why not? How then is the Church fulfilling this mission to proclaim good news to the poor? Some of us may wonder whether the majority of our well-to-do people have not yet to be waked up to be aware of any such mission. It is undeniable that the Church of Him who died for all is not to-day by any means reaching all. It is certainly true that the Church of Him who worked at the carpenter's trade ought to come nearer than it does to the multitudes who work with their hands to-day.

That the Church, for example in New York City, does much

for the poor is not enough. Recently has been raised the pertinent question whether much that has been given to the poor has not been a positive hindrance to the Church's real work, which is to preach the gospel to them. To preach to the poor, moreover, as brothers of the rich is necessary, not only to save souls, but to save society. There are churches where the rich and the poor meet together and together worship Him who is the maker of them all. There ought to be many more such churches than there are. It is a reproach to a congregation even to seem in the least like a club of prosperous and congenial people, to which others, less well-to-do, may not aspire to belong except in the position of pensioners. The Church is for men, whether rich or poor. With a mission to all sorts and conditions of men, it is not as it should be when certain sorts and conditions of men are in large part not receiving its ministrations.

It is time to ask whether there should not be often used very simple and flexible services, adapted to the people to be reached, and also whether the character of the music should not be such as to encourage congregational worship. With the growing ambition for anthems and solos and with an elaborate *Te Deum* too often by poor performance made a *tædium,* it is time to plead for a larger proportion of music that, while not poor and cheap, shall be democratic. "Let the people praise Thee, O God; yea, let all the people praise Thee."

There may surely be question whether, in the financial support of churches, there should not be appeal less to commercial and selfish considerations and more to Christian motives of loyal devotion, generosity and sacrifice. In fact, the pew system, as an adequate means of support, has practically broken down. Few are the parishes where it has not to be spplemented by other methods and by yearly appeals to make up a deficiency. On the other hand, who can estimate how many that system has kept from the house of their Heavenly Father! In a city church that is awake to its mission the appropriated pew, with its provision for comfortable and complacent selfishness, is an anachronism, an obstacle surviving from the past. When a new church is built, in place of pews put in chairs, and you have taken a long step toward making the church truly democratic. If it be really a question of private pew *versus* people, surely there will be no hesitation as to which shall be abandoned.

Aside from means and methods, the great company of Christians, face to face with pressing problems of the time, ought not even to seem to be dumb and impotent, paralyzed and past feeling. If they are rightly to face those problems, they need a vision of the opportunity, a widening of thought and purpose and renewing of spirit, a more robust effort and a fuller measure of the enthusiasm of humanity. The Church's effort is not to be something apart, in the rear of the battle, only for them that are sore spent and wounded in the fight. Its service ought to be that not merely of the ambulance corps, but of the column's forward march. When its stores of latent power have been fully developed, it will not be out of relation with the main currents of human energy. As in the best periods of its past, it will be a force potent in the progress of humanity onward and upward.

The Christian estimate of the worth and meaning of human life should make men view with larger understanding and sympathy all earnest efforts for human uplift. To be specific, the Society of Christians may properly recognize what is common in its own aims and those of the trades-unions. Doubtless there have been on the part of the unions instances of folly, tyranny and crime. The same might be said of the other side. Yet these associations of wage-earners have accomplished much which could not otherwise have been done. They are likely to be of immense educational value, not only through the learning that comes of making mistakes, but also through the inevitable uplift of minds earnestly working together at great problems. On good authority may be quoted a remark of Mr. Root when Secretary of State: "When I want a pastime, when I want to be stimulated, I go to a labor-union meeting and listen to a debate. I have never heard one carried on as well and so much real thought shown in a Fifth Avenue Club as I have in a labor-union meeting." If the labor organizations be headed by intelligent and disinterested leaders, they might, as Professor Sumner* suggested years ago, be made capable of undertaking a number of matters now imperfectly supervised through government inspection, for example, sanitary arrangements in factories, protection from accidents in factories and mines, limit of age for children employed, hours of labor for women and children. In many communities it would be well for the local congregation to have its

* "What Social Classes Owe to Each Other," p. 94.

representatives approach the union with a view to certain mutual relations. The Church can afford fairly and freely to recognize the ideals of the unions, the results they have accomplished, and their possibilities of further service to humanity.

When all is said, however, there remains something which the Church alone is fitted to supply and must supply if true to its mission. The manifest design and ultimate destinies of Democracy, who may adequately describe? Yet its way is not the untroubled triumphant march which has been predicted and expected by a former generation. It is a way beset, in city and State and nation, by grave problems and perils. There is need of principles, of vision, of ideals and inspirations which are found in Christianity and which the Christian Church is bound to furnish. Democracy must not turn from its ideals of humanity or be false to human nature. A prime fact of human nature is the inevitableness of religion. The faith of the Son of Man, with all its superhuman sanctions, is none the less the religion of humanity. Of that religion of humanity the Church is the organized expression and ought to be a visible embodiment and living voice seen and heard of all men.

CHAUNCEY B. BREWSTER.

PROSPERITY WITH JUSTICE—WORKING TOWARD A SOLUTION.

BY JUDGE PETER S. GROSSCUP.

ORIGINALLY property was strictly individual. As civilization advanced the copartnership, the earliest form of "combination," appeared—the union of two or more persons in a single effort. In copartnership expense and waste were cut down, and incidentally competition was partly eliminated, but the general advantages were such that it received the favor and protection of the law.

Civilization becoming more complex, the corporation came—a closer union than the copartnership, of several persons in a single venture—a union so close that the corporation became itself, in contemplation of law, a single artificial person. And civilization becoming still more complex, the so-called Trust came—in its earlier form simply a copartnership of these new artificial persons, the corporations—the medium being some committee of individuals or some trust company who, receiving all the net earnings of the several corporations, divided them among the stockholders of each. Examples of this kind of corporate copartnership were the original Standard Oil Trust, the Sugar Trust and the old Chicago Gas Trust. Other instances were the railway pooling arrangements. And here the country took alarm; copartnership of individuals was all right; the closer union of individuals in a corporation was all right; but copartnership of corporations (themselves essentially copartnerships)—this union of unions—where would this multiplication of union by union end? And what effect would it have on competitors, who continued such as individuals, or in the simpler forms of the primary corporations and upon the public as consumers? The answer was the so-called anti-trust acts in every State and the Sherman anti-trust act for the nation.

The constitutionality of these anti-trust acts was sustained by the courts, and some of the trusts, notably the original Standard Oil Company and the Chicago Gas Trust, were judicially dissolved. Others voluntarily dissolved. These dissolutions, however, did not relegate, except for a brief period, and then only in theory, the copartner corporations to their original basis. Renewed competition was not secured. Instead many of the corporations (artificial persons), forcibly divorced by the law from each other, disappeared altogether, only to immediately reappear in a greatly enlarged corporation (artificial person)—large enough to include every asset and every participating stockholder involved in the dissolution; that is to say, the divorced corporations first dissolved themselves into their original elements and then reunited in a single corporation large enough to include everything that had dissolved. And in this new union they are among the greatest combinations (all copartnerships and corporations being combinations) that the country contains.

But this was not the course taken by all these corporate copartnerships. Finding a State that was willing to incorporate anything tangible or intangible, present or to come, and being advised that a State corporation was a "person" that would have the same power the country over, as a natural person could constitutionally claim, many transformed themselves from the status of "copartnership of corporations" into "holding companies"; in other words, finding that an outright copartnership of corporations was illegal, they *incorporated* the copartnership, on the suggestion that *that* would make it legal. And many later enterprises in setting up for business have acted upon this theory. Then came the question in the courts as to what was the status before the Sherman law of these holding companies.

The significance of the Northern Securities Case was that, as to quasi-public corporations at least, the mere incorporation of what essentially remained a copartnership of corporations does not make such copartnership valid; and the significance of the recent Standard Oil decision is that that doctrine is carried forward to private corporations as well. Should the later decision be affirmed, the holding company, as a way to get around the illegality of copartnership of corporations, where the necessary effect is to restrain trade, is at an end. Natural persons continue to have the legal right, under the law as it now stands,

to unite their efforts either in the form of a copartnership or the closer union of the primary corporation. But there can be no extension of this right of union where the effect is necessarily to restrain trade; there can be no union of unions.

We are now in the twentieth year since the enactment of this Sherman Anti-trust Act. The State anti-trust acts immediately preceded and followed the Sherman Act. What, then, is the practical result of this campaign, State and national, of nineteen years? On its purely legal side the outcome of this campaign is that if a number of persons, with a large amount of capital, or with a large borrowing capacity at the banks, desire to unite in enterprises as large as enterprises have grown to be, they must do it through the medium of *one* corporation, itself not the union of several corporations; for though the Sherman Act makes illegal any "contract," "combination in form of trust or otherwise," or "conspiracy" to restrain trade in interstate commerce, no court has held that such "contract," "combination" or "conspiracy" can be between less than two or more persons. The terms themselves imply two or more parties. If a corporation then, no matter what may be its size, is in contemplation of law but one person, this provision of the Sherman Act does not apply. That is to say, five corporations or copartnerships, made up of five persons each, uniting in the form of a contract, trust or conspiracy to restrain trade, would be within the Act; but the same twenty-five persons united, with all their assets in one original corporation, would not be within the statute. In the one case the transaction would be a "contract," "combination" or "conspiracy" between two or more copartnerships or corporations (artificial persons); in the other case it would be a single person—artificial it is true, but in contemplation of law, and therefore of the Sherman Act, one person. This is aside from the second section of the Sherman Act, however, the subject-matter of Judge Hook's opinion, which is a section dealing with actual "monopolies," and not with "contracts," "combinations" and "conspiracies" whose necessary effect is merely to restrain trade; and Judge Hook's opinion is his separate opinion, not that of the court.

This is what these nineteen years have brought forth on their purely legal side. How about the practical business side? Combination is industry systematizing itself; industry cutting out

waste and expense; industry gathering itself together, that it may work with united strength; industry equipping itself, that it may utilize the commanding power that the human mind has obtained over the forces of nature; and the natural law of economics, under such incentive, is not inclined to look at statute law except in search of ways to escape it. The result has been that on their business side these nineteen years have witnessed a transition not *away* from consolidation, but *towards* it—consolidations of railroads and industries on a scale that no one dreamed of nineteen years ago. Indeed, more than any other single influence, the Sherman Act, instead of halting the process of consolidation, has brought about the enormous corporations we have to-day.

Now, what shall the next stage be? Shall we continue to be satisfied with a change in form, leaving the substance to go on in its own inherent way, or shall we begin to deal with the substance of things, adopting mere forms as the means and not the end of the efforts made? So far as national law on the subject now goes, the States probably have the power immensely to harass foreign corporations, or bar them out of their territory altogether, by making conditions to their entry that they could not fulfil. And by national law itself persons "not natural" might possibly be prohibited from entering into interstate commerce—two ways (constitutionality doubtful) of getting rid of large consolidations. But would either of these ways in the long run pay? As an economic agency—aside from any consideration of unfair prices exacted, and aside from the fact that through it a small class of men are rapidly acquiring America's most valuable domain of property—these consolidations have made it possible to better the condition of livelihood of every man, woman and child that lives to-day. Now if these "asides" can be eliminated without pulling down the structure, what sane man will be looking for a Samson to pull down the structure?

Can these "asides" be eliminated? Can any way be found to obtain the economic advantage that consolidations have brought to civilization *pruned of the wrongs* they have brought with them? For the purpose of considering this, corporations can be divided into two distinct classes: first, those that substantially are monopolies, and, second, those that still are subject substantially to the law of competition. The first class or those

that substantially are monopolies are the ones chiefly to be dealt with and may again be subdivided into

"(*a*) those that are monopolies because they ought to be monopolies (the public mind on this subject has changed in the past few years), such as railways, telegraph and telephone lines, street and interurban railways, water, light and other public utilities, and (*b*) those that by the acquirement of all, or nearly all, the nation's available resources, or by obtaining otherwise decisive control in any department of industry, have made themselves monopolies."

Now the two prime objects to be obtained—the two "asides" to be eliminated—are:

"(1) That the corporate form of carrying on enterprise shall not impose upon the people at large burdens in the way of prices that ought not to be suffered; and (2) that the corporate domain, as a form of holding property, like the farms of the country, should be taken up by the people at large, not indirectly, as at present, but as direct proprietors."

To meet the *second* of these objects, no adequate proposal has yet come from those who have the lawmaking power in their hands. "Federal incorporation" will be no remedy, if by that it is meant simply to incorporate at Washington the free-for-all, go-as-one-pleases corporate structures that now emerge from most of the State capitals. To meet the *first* of these objects—that unfair prices shall not be imposed upon the public—two proposals have been made—viz., that in the case of quasi-public corporations the rates shall be under the regulation of the Government, and that as to industrial enterprises that have made themselves monopolies (competition being a cure for monopoly) the tariff laws shall be so adjusted that the area of competition shall be made world-wide.

My own experience, sitting in the United States Circuit Court, has taught me what a complex problem regulation of railroad rates by Government is. In the first place there is (and in a country as yet so unevenly populated and developed there can be) no common unit, measuring-line or principle, as "per pound, per mile" or the like, that is uniformly applicable; for a rate that would be excessive in some parts would be so inadequate in others that it would bar out transportation facilities altogether. Indeed, new industries and new communities have been set on their feet by initial rates so low that, for the time being, and considered by themselves, they were a loss to the carrier;

and ocean and other waterway rates complicate the matter. Then, too, in the absence of a definite valuation of the carrier's investment, there is no common denominator upon which to calculate whether given rates by the carrier are reasonable or not. Indeed, in the absence of a common measuring-line and a common denominator of value, rate-making is at most a mere guess. And in addition to this, to take from the carriers themselves, each dealing with its own constituency, and each depending upon the prosperity of its particular constituency for its own revenue, the power of initial rate-making—turning it over to a body of men whose knowledge on the subject is largely academic—would, in my judgment, be much less satisfactory than (the incentive to overcharge being removed) the direct relationship of carrier and shipper, living with each other day in and day out and mutually understanding each other's needs. I do not mean by this to put my voice, what little it is worth, against the regulation of rates suggested. What I mean is, that put into force that suggestion will be no sure "cure-all" of all the evils.

To recur to the larger question, then, here is the situation as I see it: within the vast field of transportation, where in the nature of things the operating agencies must be monopolies, the Sherman Act as a last effort to maintain competition and thereby to regulate prices, has come to the end of what it can accomplish; for as against consolidation in the way of a single corporation (one person, artificial it is true, but still within the law a "person") no effort has yet been made to use the Sherman Act. And within the vast field of industry, where, by their acquirement of deciding control, the operating agencies have made themselves monopolies, the Sherman Act, as a last effort to maintain competition and thereby regulate prices, has also come to the end of what it can do. But within these vast fields the law of competition, as the one thing standing between a nation of consumers and the producers from whom the nation of consumers is forced to buy, is at an end also. To the extent that these monopolies are quasi-public corporations, rate regulation by Government may be of some avail; but at best it will be unsatisfactory. To the extent that they are industrial enterprises, the opening up of world competition by an adjustment of the tariff may be of some avail; but some of these enterprises are fortified against world competition. What, then, is the remedy?

The Anglo-Saxon mind habitually holds fast to that which is old and has been tried. But sometimes that which is really new creeps behind the shield of the old and the tried. Monopoly, as a necessary product of our new civilization, is itself new. The man who has his labor or his services to sell must sell at what the world determines to give. *That* is the old and the tried. The manufacturer who is in a field where competition still controls must sell at what the world determines to give. The middle man may think he is fixing his own prices (within a narrow margin, he is), but in all substantial respects it is the world that determines what his profits shall be. Over us all, save and except those who have obtained for themselves the deciding voice, the world holds the deciding voice. But in the case of those who have "obtained for *themselves* the deciding voice"—is there anything of the "old and the tried"? Sometimes I wonder if behind all the ineffectual effort we have put forth to find a remedy for these new conditions, *in line with the old and the tried,* however, the public mind is not silently perceiving the ultimate remedy—juster, more effectual, and in accordance, too, with the *spirit* of the old and the tried—holding back from putting the remedy into words because the public mind is not ready as yet to put what it is thinking about into words. Let me put it into words, that it may be openly considered, at least, if not accepted.

First: Let there be a valuation of each of the railway properties (I take the railway properties as an illustration only), rejecting "the cost of reproduction" as the measure, but taking as the measure what it fairly cost to bring these railroads to their present condition. Add to this, as time goes on, the cost of extensions and such improvements as ought to go to capital account; and upon the capital that the two thus constitute—a capital that is definite—allow returns at a definite given rate, after making provision for depreciation, maintenance and the improvements that are rightly chargeable to operation and not to capital account.

Second: The traffic rates now charged the public by the carriers are on file with the Interstate Commerce Commission. Take these, or such rates as are on file when the foregoing change goes into effect, as the second definite postulate; and ascertain at given intervals what the public has *saved,* if anything, by the applica-

tion of reduced rates, instead of the previous rates, to the traffic carried during the preceding period.

Third: A saving to the public having been shown, allow the carrier out of the accumulation, if there be any, and if the reduction be not at the expense of quality of service, as a return additional to his fixed return, a certain percentage of such savings (the maximum to be definite), as also possibly for a security fund against the "lean years," this maximum also to be definitely fixed; allow the Employee's Insurance and Old-Age Pension Fund another percentage; and the Employee's Investment Account another percentage, to be invested for them *and as their property* (the apportionment to be according to age and length of service) in any authorized future issues of securities of the carrier for extensions or improvements.

Fourth: Should it appear on such periodical accounting that the carrier has accumulated out of the rates charged the public, over and above the needs above set forth, and the constant bettering of the service, further amounts, the same shall go into the United States Treasury, *unless within a succeeding given period it shall have been absorbed in a still greater bettering of service or a reduction of rates of traffic charged the public.*

To the objection that this is a tax levied upon the carriers for the benefit of the public treasury, the answer is that it is a tax that will *never accrue,* for by reducing rates and bettering service (both the self-interest of the carrier) no balance need remain. The provision is a menace, not a tax.

To the objection that the carriers are thus left to fix their own traffic rates, the answer is that all pecuniary interest being taken out of *increase* of rates, the carriers can be safely left to fix them, initially at least, subject to supervision against discriminations.

To the objection that enterprise must have some prospect ahead, the answer is that there are actual, tangible prospects in the increased dividends provided. True, they depend upon reduction of rates, but reduction of rates is a sequence of improved methods, wastes cut out and expenses reduced, and especially a sequence of constantly growing populations tributary to the lines.

To the objection that the proposition is revolutionary—that it is the first time in our American history that it is proposed to set a limit upon success or what success may earn, the answer is

that this is the first time in American history that the public have been seriously called upon to inquire whether that character of success, which would not be success at all except for the State's granting of the privilege of incorporation, has any natural right to go forward without limit; and that this, too, is the first time that the people have been called upon to inquire whether a policy that subjects corporations, free from competition, to public control over what shall be their returns, is not more nearly akin to the old economic law that he that has anything to sell must take what the world determines to give, than would be a policy that forever leaves it for these exceptional corporations to say that what *they* have to sell the world must take without a word as to what it thinks it ought to give. Besides, in the case of the carrier at least, a limit on earnings to be appropriated as returns is not different in principle from the limit on rates that the Government is now exercising. The difference is one of method, not one of eventual result.

I submit the remedy thus outlined as the logical and the most promising next stage in the progress of events that have brought us to where we now are. It is applicable to those combinations that have made themselves monopolies, as well as to the natural monopolies—the anti-trust acts being left to act upon those enterprises that have not become monopolies. But I would not apply it where tariff revision would restore competition; tariff revision, therefore, is bound up with this corporate remedy. There is much, of course, in the outline to fill in, especially in means calculated to secure no depreciation in quality; but I believe that fully developed this plan can make it to the self-interest of the corporations dealt with not to depreciate quality. There is in this plan no interference with private right; the corporation is not a private person, and it can claim none of the so-called "natural" rights of private persons. And, on the other hand, there is in this plan no interference with the corporation's legitimate "business management" of its own affairs —the management of the corporation's business is left in the hands of its own managers. The central thought of the plan is co-operation of self-interest with justice; justice obtained through natural law; enterprise in the hands of individuals carried on by those who win their places by adaptability, as against enterprise carried on by Government; development along natural

lines, subject only to the restrictions that the world always has laid and always ought to lay on palpable injustice. The plan put into effect, it seems to me, would remove those acute antagonisms —do away with the border warfare—between the people and these great enterprises; and in the doing away with border warfare—supplemented by a reconstructed corporation policy, State and National, that would secure the holders of corporation securities, against the dangers that lie not only in overissues of securities, but in the unrestrained manipulation of securities and in misuse of the power of declaring dividends such as mulcted the public in the old Chicago street-railway securities—would immediately tend to bring the people into direct ownership of this class of property, just as the Western lands were taken up by the people the moment the frontier garrisons were supplanted by the agricultural school and the county fair. And peace restored, and with it justice, men would begin to think more of achievement measured by service than of achievement measured by what one has accumulated. To great enterprise-builders, and to those great in their operation, would come the better kind of honor and satisfaction which comes to those who are great in other walks of life. And this America of ours, so rich in ideals and human tenderness, would turn its creative vitality into channels infinitely more helpful than these continual contests between the bare talent for money-getting, on the one hand, and the instinct, wide as human nature, on the other, that no one class of men shall become the possessors of the earth.

There are a few groups of men in this country, composed each of comparatively few men, who, from their grasp upon our growing corporate domain, have taken out in *personal fortunes* in the past ten years sums approaching in greatness all that has been collected by the Government of the United States through every avenue of its power to tax. The means that enable these groups of men to put themselves upon a level with the Government as collectors of revenue from the people, besides the tariff, is the grasp they have held on the country's resources, through the right of unconditioned incorporation, that our corporate policy heretofore has granted them. Under this license these groups of men have capitalized in advance, and distributed among themselves as their own property, everything that discovery and invention (the work of the whole world) was destined in an in-

ventive age to bring, and everything that the advance of economic science (again the work of the whole world) was destined in a progressive age to do. And the tariff has been employed to augment still further these unparalleled advantages.

From these groups I would not take one farthing of what they have accumulated. From the property into which these profits have gone, turning the original water in many instances into the wine of approximately actual value, I would not take one farthing. Let the past bury the past. What was done by these men was done under policies put into law by ourselves. But here and now I would have these *policies* stopped. They can be stopped now without shock; and once the country is put upon a juster basis of prosperity, the anomalies that these policies have brought forth will shortly disappear. They can be stopped, too, without infringement, on the precept that to him that has given much to mankind in the way of successful effort shall be given a corresponding individual return. But after ten years more, who can tell at what cost to the nation's strength, and to the nation's peace, and to the whole doctrine of legitimate individualism, any halt in these policies can be made effectual?

PETER S. GROSSCUP.

THE ACTUAL STATE OF ART AMONG US.*

BY EDWIN HOWLAND BLASHFIELD.

SOME of us here looking backward can remember quite well the output of American Artists fifty years ago, the art galleries and museums of what Mr. Henry James called mediæval New York. In those days long open sleighs plied as winter 'buses on Broadway. The snow was banked in a wall down the centre of the thoroughfare, for there were no "white-wings" to carry it away, and up-going and down-going people caught sight of each other only as they passed the side streets. The pictorial art which was most in evidence between the Battery and Grace Church—an art most dear to my childish heart—was that which presented, upon oval panels, giraffes, ostriches, elephants, and all the rest, on the front of Barnum's Museum, big and imposing for its time, upon the site of the present Saint Paul Building. For real art one went away up-town, nearly to Union Square, to Williams & Stevens, or to the pictures in the Düsseldorf gallery, or, while the great exhibition lasted, one fared on to the terminus of 'bus lines, the jumping-off place of Forty-second Street, and the Crystal Palace, where one might visit that cynosure and sensation, the bronze Amazon and Tiger. In those days we strained our eyes across seas toward the promised land, the streets of Düsseldorf and Antwerp, the ateliers of the Latin Quarter, the studios of the Via Margutta. As late as the spring of 1867, William Morris Hunt said to one very young student,—"Go straight to Paris; anything which you learn here you will have to unlearn."

We have changed all that. We have parted with the Italian image-vender's tray, borne upon his head down area steps of brownstone houses, to the negotiation for a plaster woolly lamb

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or a "Little Samuel Woke," have exchanged it for Barbediennes bronzes. We are up to date and the Undines and Kobolds of Düsseldorfers of half a century ago have become the Manets and Monets of to-day; indeed, with some people, Manet is already *demodé*. Our change of heart was first effected along the lines of the least resistance, the sleek porcelain sheep of Verboeckoven were received into our fold before we could tolerate the shaggy real ones of later artists; the little wax maidens of Meyer von Bremen grew in our collections only very gradually into the flesh and blood ones of French canvases. We imported much sculpture, which now seems to all of us less fit for the auctioneer's hammer than for the road-mender's. We grew perhaps by fits and starts, but we *did* grow, and at last swiftly and mightily. William Morris Hunt was wise as well as great in his own generation, when one had "to unlearn American art teaching," but no one would glory more than he, in the fact that to-day our young people may learn in America, as well as in any schools in the world, the spelling and grammar of their art, and may stand as firmly and squarely here upon their technique as ever they could in the streets of Paris. Our landscape school may take its place beside any, and as for portrait-painting, there is an American in London to-day whom Frans Hals, could he come back to us, would call brother, standing shoulder to shoulder with him. And *yet!* though achievement is ours, though momentum has been attained and well directed, though our public is prodigal of purse and praise, *your* fingers, gentlemen, the fingers of the practitioners of that wider art which includes literature and music, are almost as much needed upon the pulse of that same public as they were in the days of mediæval New York aforesaid.

We buy enormously, we praise much, but we also neglect much; we love perhaps not too well, but surely at times not too wisely. We have worn out many fashions in admiration, and in wearing them out we have learned from each, but we have not yet learned steadiness of purpose, or quite acquired the fair-mindedness which should be sheet-anchor to the omnivorous collector we seem destined to become among nations. It is likely that we tire only temporarily of the really good, but we tire often. For a few seasons we will have in music only gods and giants, dragons and swan maidens. Then all at once "La Traviata" or "Lucia" pushes

"Brünnhilde" out of the saddle, and "Madame Butterfly" sings "Elsa" off the boards. We have gone into and out of phases that may almost be labelled Barbizon School phase; Munich phase of bitumen; Monet phase, of blue shadows; worsted sampler phase of little vibrant streaks of color; Carriere phase, where the house is always on fire, and the family group poses peacefully in a room filling with smoke. In each of these phases is beauty, in some marvellous beauty, but do we not go through them too completely and then abandon them too utterly?

Names have become potent to conjure with, and are growing greater and greater. Hoppners, Romneys, Reynolds, and wonderful to tell Vandykes, Hals, even Rembrandts are almost pouring into the country; fifty years ago so many aeroplanes from the Continent would have hardly seemed more unlikely visitors than these pictures, darlings of collectors in old castles and manors, and coveted by the museums of all Europe.

For in our enthusiasm and our art growth we have waxed so fat and kicked so mightily that we have kicked out the timbers of the dam of protection, so that the frightened amateurs of England and the Continent, who fifty years ago could look down upon us from the height of justified patronage, are proclaiming their apprehension through their press in shrill prophetic cries. Our opportunity, thanks to our great collectors, is indeed splendid, invaluable, and yet the very greatness of it should breed caution.

It is when the magician conjures with his most fascinating material that we most easily forget to watch his sleeves; when he says Rembrandt, how Eckhout and Bol and Flick drop out of our remembrance. And when the scrap surely *is* by the great man how large it looms to us in comparison with the size which it would have assumed for his contemporaries, above all for him. You say that is right, any scraps by certain men are priceless.

Granted, but such men are *very* rare; the personalities which were so divine as to hallow all which came from them are almost more than rare. One may even discount Homer's nodding, to the extent of admitting *that*. Great men do much work which they reject, then comes, let us say, Corot's model (for Corot was a notable example as giver). "I found this sketch behind the coal-box, M. Corot, covered with dirt. May I have it?" "Yes, my child," and so later the public, like the model, begs for it and obtains it, but not, like the model, at the price of a thank you.

It would probably not be possible to-day for a Homer Martin to watch his canvases selling for twenty-five dollars at an auction, those canvases which now bring thousands; a Millet could not long remain undiscovered, because discovery has grown to mean fortune, and we have cultivated the eyes of lynxes and the noses of hunting-dogs. But we mistake and exaggerate, nevertheless, and often in the direction most opposed to what one would expect. We not only worship the atelier rubbish of the dead artist, we cultivate the idiosyncrasies and mannerisms of the live artist. "But don't you think, Mr. Blashfield," said a lady artist to me, "that Puvis de Chavannes would be much less interesting if he drew better?" I understood her, and knew that she did not mean what she said, but her opinion so enounced could hardly have been useful to pupils. It is just such people as worship the limitations before the potentialities, who wear blinders, and are only held up by the shafts, the shafts of the admiration of the moment, who pave the way for straying in the wrong direction and make the lay public forget those who follow the right road. For such people the accident is the essential, the normal is negligible, and nothing but caviare is worth eating; if they could see a play on a house roof, or in a cellar, they would value it far more highly than in a theatre, they tilt head down at any one who makes a rule and keeps it, and they call all that is not amorphous academic. It is their outcry which imposes upon the great general indifferent public, and which occasionally, when a question of genuine expediency arises, does real harm; to this little group straining for the exotic, it seemed not unreasonable that a dozen cities should surpass New York utterly in provision for exhibitions, and that the current work of the greatest of American producers, New York, should remain unhoused, made it possible even for a daily paper to say the artists are negligible since they have neither money nor political influence. This was in reference to their request for a grant of public land, but can any one imagine such a statement being made about the artists in any European city big or little?

To these people again any Academy, *qua* Academy, is objectionable. They admire eccentricity,—not as a manifestation of possibilities, but just as eccentricity, and to them is coming some day regret for their inculcation of technique as end, not means, and far worse their limitation of technique to manipulation of

pigment. To cry out against labored canvases, to put on paint in a dashing manner, and cry live Frans Hals and vitality is fine certainly, but it must not be forgotten that the strength of Hals and his vitality, his viability as artist, lie not in the width of his brush strokes, but in the fact that his broad strokes are of the right size and shape and value, and put in exactly the right place.

Yet in spite of exaggerations and what, though it seem almost perversity, we must admit to be sincere if mistaken, the great trend of our art is toward sanity, and a sanity which is become yearly less and less a derivation, more and more an American product.

For the last fifteen years especially we have been moving forward with astonishing swiftness over the field of Art, and as we moved we have to a considerable extent surveyed and levelled and cleared the ground, but there are still unexpected holes in which we trip, quagmires in which we flounder, unsuspected chasms like the sunken road at Waterloo, into which our cavalry charge of enthusiasm tumbles pell-mell, checking all advance till the latter again becomes possible over the bridge of thwarted endeavor made by the bodies of the fallen. All this we expect; decimation and more than decimation of our combatants we must discount, but you can help us. You, the Academy, can be like that marvellous general staff of the German Army; you may not fight the battle of the allied arts yourselves, but you may make it possible for us, the active army, to fight successfully. I am told by those who have travelled in America that the awakening of interest in what we call the arts is almost incredible throughout the length and breadth of the Union. There are exhibitions, permanent and recurrent and ambulant. There are societies for the encouragement of municipal art, of decorative art, of applied art. Senator Newlands has told us that in tiny towns of Nevada and Montana, musical societies work single-heartedly and effectively toward a higher level of culture; all over the country, boys leave the plough for the palette. To the door of my own studio in the Carnegie Building comes a steady stream of young fellows who want to be my assistants for a small salary,—in many cases for no remuneration at all save the instruction to be derived. Blue-aproned girls caked with paint and clay and fired with enthusiasm flock from the schools of the little cities to the schools of the big ones and pass onward overseas until they tell me that in Paris

the word "art student" has come to mean American girl. This condition is phenomenal; it is going to be alarming if not rightly handled, and to so handle it is our business, and in a wider and higher sense, *your* business, gentlemen of the Academy. The Mill that in the northern story, at the bottom of the ocean, grinds out the salt that savors all the seas, is hardly more active than are our schools in the production of boys and girls in possession of a fair technique. We have high ideals, and with admirable, and I fully believe justifiable, courage, our infant industry asks *not* to be protected, and lets down the bars to foreign art of all kinds. In the welter which is sure for some time at least to follow this wave of enthusiasm, this stream of production from east to west, what need there is of a tribunal such as yours, gentlemen, what need of an arbiter (by no means always elegantiarum)? And you *are* an arbiter which the great universal client called the Public will respect; you are the gods of the machine, the men from higher up, from our Parnassus. In you, that many-headed client has, relatively, confidence; true, you do not in every case rise to the altitude of being first of all business men, but you are scholars, writers; you are thinkers, not unpractical dreamers, and there has not yet been imputed to you as the necessary conditions of greatness, even of genuineness, that you shall never keep your appointments or pay your bills.

Therefore, in the ever-recurring discussion between the Great Public and the great body of artists, if you will throw your authority into the scales for *us,* it shall be as the sword of Brennus to weigh, as the sword of Alexander to cut the Gordian tangle of our difficulties.

And *we* are trained to understand and help each other, so strong are the analogies between our arts. As every French soldier had in his knapsack the possible baton of a Marshal, so every one of us has among his professional tools the potential pass-key to the adytum, the inner sanctuary of the other arts. Among us each man's mystery, as they said in the Middle Ages, may become so clear to his fellows that we all may join hands.

Our Academy and Institute, made up of men who rub against the issues of the day, yet live a kind of cloistered mental life of their own, given to the pursuit of knowledge and the attempt to create beautiful, has more than once reminded me of an excursion which I once made to the great monastery of Monte

Oliveto Maggiore, sixteen miles above Siena, in the hills. It is nearly empty now, but once it was a microcosm in its activities. There the brothers, the thinkers and writers and recorders of the time, shut up in church and cloister and scriptorium opened their outbuildings to the world, and there, especially upon certain fixed days of festival or council, of papal or imperial progress, the *world* was harbored in the vast courtyard. The latter was a caravansary, where provinces were pigeonholed. The names are still upon the pigeonholes, big bare echoing vaulted rooms with yards for the beasts. Here you read over the entrance, Lombardy, here Tuscany, there and there Genoa, Venice, Romagna. Here the laymen paused for a day from their business and listened to the teaching of those who thought and planned.

And note—and here is my point towards which we have journeyed among the Tuscan hills—note that this was neutral ground, the territory not only of the church, but of the arts.

Perhaps while the monastery courtyard held these people safe and quiet, outside there was fighting; very likely while Lombards and Venetians were cooking their meals or foddering their beasts with only a party wall between them, Lombardy and Venetia were cutting each other's throats. But with the quarrelsome laymen there entered one group of people who were not quarrelsome, and whose names were entered upon the lists of the major crafts. They were the artists, the architects, sculptors, painters, sure of a warm welcome from their tonsured hosts who were artists also, poets, musicians, historians, calligraphers, illuminators.

And the power of these artists went afield; if within the monastery was the truce of God, the artist as far as his personal security went, carried the truce of God *with* him. Through the fourteenth century, Italy was a battle-field, but Giotto and his painters, Giovanni Pisano and his sculptors, Arnolfe and his architects, went up and down the battle-field unharmed, and entered through the breached walls of cities to paint allegorical pictures of the blessings of Peace in the Town Halls.

And these artists were a little band of men, knit together as we *should* be now, by the closest bonds of interdependence and mutual comprehension. They understood each other's specialties, and in the days when Dante tried to draw an angel, or later when Raphael scrawled rhymes for sonnets on the backs of his studies, the artist was ambidexterous, holding the chisel in one hand, the

brush in the other, and taking up now and again lute or pen or compass.

The world calls artists jealous (I use the word "artists" in its largest sense), but a better freemasonry has existed among us for eighteen hundred years than anywhere else outside the church, and our freemasonry dates from before Christianity. To-day is like yesterday; war, commercial war, is bitter all about us. We are neutral, and if the ideal enlightened layman needs a breathing-spell he interests himself in helping a museum or backing the improvement of a city's topographical ordering. He joins hands with us for *our* good and *his* good, and everybody's good, and yet—we speak a language of our own—and there are times when we belong together, and only together. We need the contact of the world too, that is certain, and if, like the monks aforesaid, we each of us withdraw into our individual cell during the period of meditation, later we must (like them again) work altogether in the monastery garden's sunshine for our mental health. I do not mean that we should confuse our works, but that they should proceed *pari passu* under the general mutual stimulating influence. A picture does not look better because it is called a Nocturne, nor does a musical movement seem more lovely, to me at least, because it is called a Study in some color or other. There are people who tell me that names mean colors to them; that Lucy is pink, and Mary blue, and Jane brown, and so on. I am not subtle enough for that. But we *do* have our signs that pass current among us only. We have much to say to each other that we are not ready to say to other men until our work is complete and fit for presentation. When Babel was building and the confusion of tongues came upon man, two languages remained common to all—the language of the emotions and *our* language—that of the arts. This latter tongue spoken intimately among ourselves is understood broadly by all. By reason of this latter possession, we, the writers, musicians, architects, sculptors, painters, if but struck aright, sound in the great symphony of the world's activities as one harmonious chord. By reason of it the artist is a citizen of the world, at home *urbi et orbi*.

EDWIN HOWLAND BLASHFIELD.

RAILROAD ACCOUNTING IN AMERICA VS. ENGLAND.

BY W. M. ACWORTH.

"ONE touch of nature makes the whole world kin," and England and America have not a few touches of nature in common between them. The English Motor-Car Act passed in 1903 provides, as not a few Americans know, to their cost, that any one driving a motor-car at a speed exceeding twenty miles per hour shall be guilty of an offence against the law and liable to a substantial fine. This provision is, I believe, in itself entirely reasonable. When people drive at an improper speed they ought to be punished, and it is much easier to prove in a police court by precise sworn evidence that a man has exceeded a definite speed limit, which is a positive fact, than that his speed was improper under all the circumstances, which, after all, is matter of opinion. But for such a law to work satisfactorily it must be administered with discretion, and that discretion has been sadly wanting. Every reasoning being knows that to drive at thirty or forty miles an hour on an open, empty road does no harm and causes no risk to any human soul. Though a technical offence against the law, it is not an offence against the spirit of the law, the object of which is to protect the safety and comfort of other users of the road and not to create a new technical offence. Yet under this provision as to maximum speed thousands of motorists have been brought up in police courts and fined for doing what every motorist, from Cabinet Ministers downwards, does every day of his life—exceeding the speed limit on open, empty roads. And we are being taught to regard the policeman as our enemy, and to feel ourselves habitual lawbreakers. And surely this does not make for good citizenship or a respect for law.

My readers will wonder what all this story about English

motorists has to do with America and American railways. In reply I would refer them to an Act of Congress passed on June 29th, 1906, and intituled "An Act to Amend the Act to Regulate Commerce of 1887," but more commonly known as the Hepburn Act. Section 7 of that Act authorizes the Interstate Commerce Commission to require annual reports from all common carriers and to prescribe the manner in which such reports shall be made, and further provides that any person in the employment of a common carrier who shall keep any other accounts, records or memoranda than those prescribed or approved by the Commission shall be guilty of a misdemeanor and liable to fine and imprisonment. Once more, in my opinion, if I may be allowed to say so, an entirely reasonable provision. That full and adequate accounts should be kept by every railway company and made available in print to shareholders, both actual and potential, to Government authorities, and to the public at large, is a point on which all reasonable people in the United States are, I believe, entirely agreed. And I have never met a single railway man who ventured to maintain a contrary view. Further, everybody goes farther and agrees that half the value of the reports would be lost, if they were not comparable; and that therefore all reports must be constructed on the same framework or otherwise possibility of comparison would be destroyed. And to secure uniformity an authority outside and above any individual railroad, and possessing powers of compulsion, is evidently required. As I personally have been striving for nearly twenty years to obtain from our English railway companies fuller information and more uniformity in their accounts, I am naturally in agreement with American opinion.

But there is a wise French proverb which says, "*Il y a qui est plus sage que tout le monde—c'est tout le monde,*" or, if I may translate freely, "There is somebody wiser than anybody, and that is everybody." Railroad accounting is, like other sciences, a progressive one. And I can hardly believe that all the intelligence and all the ability of the whole railway accounting profession in America can be boiled down and distilled through the offices of the Interstate Commerce Commission in Washington. And if no one may keep books without the express permission of the Interstate Commerce Commission, it means that no improvement in accountancy methods can be introduced anywhere

in the States till it has obtained the counter-signature of an official at Washington. As I have said, the provision is an excellent one, provided it be employed in the manner really intended by the legislators who enacted it.

Everybody knows why this provision found its way into the Act. It was to put a stop to the practice of rebating. Cases had occurred where in the ordinary accounts of the company traffic was charged at published legal rates, while private books existed showing the reduced rates that were actually charged by secret agreement. If anybody ever did defend such practices, no one defends them now. The railway companies themselves have more interest than anybody else in killing them and seeing that they "stay dead." If any one is found in the future keeping duplicate books in order to cover up secret and illegal and immoral rebates, by all means let him be prosecuted with the utmost rigor of the law. That is the real object for which the section was enacted, an object which must have the entire approval of all good citizens. But to enforce the section in its literal meaning in all cases, where there is no suggestion of dishonesty and no suspicion of covering up illegal or improper practices, would be just as unwise as have been the proceedings under the Motor-Car Act in England. The result can only be with you, as it has been with us, to check progress and to introduce friction and distrust between the authorities who have to administer the law and the citizens who have to work under it from day to day, and who ought to be naturally, as having most experience, its heartiest supporters.

I have said that the effect must be to introduce friction. But indeed I see, from not a few newspapers which reach me from America, that friction has already arisen. Now every one conversant with American railway accounts knows that in the last twenty years they have improved out of all recognition in fulness, in accuracy, in lucidity and in uniformity and comparability, if I may coin a word; and no small part of that improvement has been due to the close and cordial relations that have always, as far as I know, existed between the Association of American Railway Accounting Officers and the Statistical Bureau of the Interstate Commerce Commission. It would be worth sacrificing a good deal of technicality for the sake of preserving that harmony unimpaired. But the curious thing in this case is the question as to which controversy has arisen. One could imagine

a poor and struggling railroad, or a railroad which had hitherto made a showing in its balance-sheet better than the actual facts would justify, fighting against the introduction of a form of accounts which exposed its nakedness to the public gaze. But the reverse is the case, and it is the most conservatively managed railways which are denouncing the method of accounting prescribed by the Commission as being contrary to all principles of sound finance.

It is not for one who is neither an American citizen nor a trained accountant to attempt to decide the issue. But as it is asserted by those who object to the ruling of the Interstate Commerce Commission which, as I read it, requires railway companies to charge all expenditure for additions and betterments to the account of "property owned as investment" and no longer to charge any portion of such expenditure against income or profit and loss, that this ruling will tend to promote the adoption on American railroads of our English practice, and that such practice has led to grave financial difficulty here, perhaps I may say a word as to what English practice really has been and how the matter strikes an English observer. When I speak of English practice, I do not mean the practice of struggling, semi-bankrupt companies, forced by necessity to financial expedients that they would gladly have avoided, but the practice of great and wealthy companies. The recognized American principle has been so far as possible to charge to capital only such additions as increase the earning power of the property. I should define the corresponding English practice as being to charge to capital all actual additions to the corpus of the property, regardless of the fact whether they are income-earning or not. For example, when a station is rebuilt because it has grown too small, the whole of the excess cost beyond the sum at which the old station stood in the books is normally charged to capital. And similarly, when continuous automatic brakes were first attached to our passenger equipment, that was charged against capital; or again, where gas or electric-light fittings were introduced in place of the old oil-lamps. This has been done quite openly and deliberately; directors have justified it and shareholders have approved it. Whether it has been wise finance in the interests of shareholders themselves is another question. I remember discussing the matter some ten years ago with the chairman of one of our great

railways. I maintained that in the long run the real question was, not what a property has honestly cost, but what is it worth at any given moment; in other words, what is its earning power? And I asserted that if new capital was spent, irrespective of its possessing new earning power, the effect must in the long run be impaired dividends and lower financial standing. My friend justified the accepted railway practice, apparently on the ground that a railway company was in a special position, and that the practice was of long standing. But he ended with these words: "I admit that, if an ordinary business concern acted on the same principles, it would come to the Bankruptcy Court within two generations." Since this conversation took place, what I ventured to foretell has actually happened. My friend's railway has almost ceased to pay dividends. And on all our railways dividends have fallen, and the value of railway investment has fallen in even greater proportion than the dividends. For the fear of a further decrease is at present, rightly or wrongly, stronger in the mind of the would-be investor than hope of an increase.

For myself, I can see no difference between railways and other businesses, except in one respect. If an ordinary business, manufacturing or commercial, gets into difficulties or goes under, because its capital account has become unwieldy the shareholders will no doubt suffer, but to the public at large it makes little difference. Not so with a railway. If a railway company has exhausted its credit, cannot raise money for new extensions, cannot afford to improve facilities or reduce rates, every member of the public all along its lines suffers and continues to suffer. There is, therefore, a clear public interest that railway companies should be strong financially, and in order that they may be strong they must, as it seems to me, not only write off out of annual income cost of actual replacements of property, but also make ample provision for obsolescence (which means diminished earning power) of property not worn out, and also for the contingency that the property or portions of it may cease to earn dividends altogether. To illustrate this last point. A branch is built to develop coal lands and does well. In five-and-twenty years the coal is worked out and the bulk of the population leaves the neighborhood. But the branch must continue to be operated, though it has ceased to earn any interest on its capital, perhaps

does not even pay working expenses, and certainly would never have been built for the sake of the scanty traffic that still remains. And as it is evidently not practicable for a railway company to repay to its shareholders a portion of its capital each year under this head, and it would not be business to place it as an accumulating fund in a bank, the natural thing to do seems to be to invest this fund in such additions to the property as are likely to earn new income to offset the loss of income from property which, though still existing and standing at its full capital cost in the books, has ceased to earn dividends.

Perhaps it is worth while elaborating a little further the meaning of obsolescence as applied to railway property. In railway work, as in any other business, plant has to be discarded, which means that it ceases to be dividend-earning, not because it is worn out in a physical sense, but because it has fallen below the standard of modern requirements. Take, for instance, the case of a station; the great railroads are constantly tearing down and rebuilding stations, not because from an operating point of view they are inadequate for their work, but because they are mean buildings and the citizens consider that the importance of their town entitles them to something more commodious and dignified. For the same reason passenger cars, still perfectly roadworthy, are constantly being replaced by stronger, more spacious and better-lighted vehicles. Or, again, a railroad has only a single track; if railroad convenience only were considered, all the traffic offering in the twenty-four hours could be moved without difficulty over that single track; but the public resent the inevitable delays to trains at crossing points, and claim that passenger trains shall be run at fast speed and at the most convenient hours, regardless how far their claim conflicts with the railroad man's natural desire to work his plant to the maximum capacity. All these cases are instances where new money has to be spent for purposes which in one sense are capital purposes, but which in another sense are not capital purposes, because they add little or nothing to the dividend-earning capacity of the road. On the other hand, although such expenditure does not bring in new revenue, it is yet in the interests of the shareholders that it should be incurred. For if a railroad fails to keep its plant up to date, it will arrest development in its own territory even if that territory is non-competitive; while if the territory is com-

petitive, it will suffer direct loss of traffic to a rival and more up-to-date road.

We sometimes hear in England an argument which I have never heard advanced in the States, that the shareholder for the time being is entitled to all the profit that his property earns while he holds it; that it is not reasonable that he should pay to enhance the value of the property of the next generation. As between present and future shareholders there may be a good deal to say for this view, though it seems to imply that each shareholder will be wise enough to know the precise time at which it will pay him to desert the water-logged ship. But from the point of view of the public interest, it has nothing to say for itself. What the public interest requires is, not that railways should be run like a gold-mine, paying fat dividends for a few years and then ceasing to pay altogether, but that they should be in a position to pay substantial and steady dividends on into the indefinite future.

We come then to the conclusion that all interests, the interest alike of the public and of the shareholders, are best served by charging freely, not mere repairs and renewals (*i. e.*, depreciation) against the annual income, but also substantial sums for additions and improvements, and, further, for what perhaps might be described as contingencies. In other words, the real test of what part of the gross income is net income is, not whether the physical corpus of the property has been adequately kept up, but whether the earning power of the undertaking as a whole is being maintained. And the moral seems to be that, from an accountant's point of view, it is only after the latter purpose has been adequately secured that there is a real surplus of net income to carry forward into the balance-sheet. From the point of view of publicity, there are doubtless advantages in separating the charges under the head of mere physical replacement from the other classes of expenditure. The real point is that both classes are equally in the nature of things deductions from net income.

Another point may here be noted. All roads are not alike; Massachusetts is not Oklahoma; a road of stable conditions in a built-up territory can face the future with much more certainty than a road in new country where further developments are largely hypothetical. A road mainly dependent upon coal or wheat or cotton is liable to crises far more serious than are likely

to occur on a road of mixed traffic, where high-class freight and passengers constitute substantial elements of the total receipts. The directors of each road ought, as it seems to me, to be allowed to judge for themselves how to deal with their own special circumstances. They ought to know their own business better than any outside authority can know it. And assuredly no outside authority, even were it possessed of omniscience, could prescribe one uniform rule that would suit the conditions both of Oklahoma and Massachusetts.

As I understand the rule prescribed by the Interstate Commerce Commission, it lays down inflexibly that all expenditure, beyond actual replacement of physical property by other property not more valuable, shall be carried forward into the capital account of the company. The result would seem to be to mix up inextricably expenditure of widely different kinds. Suppose, for example, a company to have created over a series of years out of income what I may call a contingency fund. The fund has grown large, the prosperity of the company goes on without check and the contingency fund is not required. No one could then dispute the abstract right of the company to distribute the fund, or a portion of it, among its shareholders in the shape either of a bonus or of new shares issued without payment. It would be just as though a steamship company declared a bonus from surplus insurance funds. On the other hand, no one surely would justify the capitalization or distribution of money spent on what I may call extra maintenance. Let me give an actual instance from pretty recent history. An American railroad not many years ago charged to capital the extra cost of replacing pine wood by hard wood ties. That railroad—it is fair to say that it was managed by a Finance Committee sitting in London—is now in a receiver's hands. But American railroad men prophesied its future destiny when they saw the entry in the accounts at the time.

This whole question of railway accounts, addition and betterment, depreciation and the like, has been much under discussion recently in England as well as in America. Three years ago the Board of Trade, which is the Department of our Government responsible for the control of the railways, appointed a committee, of which I was a member, to consider the matter. As our chairman was the Deputy Governor of the Bank of England, it is

perhaps safe to say that the requirements of prudent finance were not left out of consideration by the committee in its deliberations. The conclusion at which we unanimously arrived—I do not say that we were necessarily right—was that each company was entitled to decide for itself what was mere maintenance and what were "betterment and additions." In other words, the proposed new form of accounts under the heading of "Maintenance of Road" deals only with maintenance and says nothing about betterment. The maintenance may be precisely adequate or it may be more or less than adequate. We have contented ourselves with requiring that the money spent under the different headings shall be entered. Whether it is adequate, or more or less than adequate, can be judged by the experts who compare the money spent with the statistical record of the extent of the property to be maintained, and that of the actual work done during the period to which the accounts relate. But the responsibility is left on the shoulders of the directors and officers of the company and we did not suggest that outside authority should intervene in the matter. It is required, however, that the depreciation or suspense accounts, or reserve funds where they exist, shall be set out as well as any dealings with them in the course of the year. Similarly in the General Balance-Sheet, it is proposed that the amount of any insurance, depreciation and reserve funds shall be set out on the one side and any suspense accounts against them on the other side. By this means publicity and uniformity will be secured, but the responsibility of management will rest where, as it seems to me, it ought to rest, on the shoulders of the company itself. As for the capital account of the company, we have provided that the purpose and amount of each new item of expenditure charged to capital shall be given in considerable detail. But if a company chooses to close its capital account, and not merely to build new rolling-stock, but to build a new main line out of revenue, it is fully at liberty to do so, and no mention of such expenditure would then appear in the capital account. On the contrary, in an account headed "Proposed Appropriation of Net Income" we have inserted a heading, "Appropriation to Reserve and Other Special Purposes," with the express object of providing for—I might almost say encouraging—the wiping off of capital requirements by appropriation from the income of the year. I do not think it ever occurred

to any of us to doubt that what I have heard American railroad men call "ploughing income into the road" was a right and proper policy, whether regarded from the point of view of the shareholders or of the public.

Knowing as I do how important it is for the general welfare that the railroad companies and the different controlling authorities should work hand in hand, and knowing, too, how much that harmony, so far as it has existed in the past, has helped in the development of American railroad practice, and especially of accounting practice, I cannot but hope that before long some modification will be made in the attitude of the Commission to this question. Their present policy seems to me, if I may very respectfully say so, to err in three respects. It tends to arrest development. It divorces power from responsibility. And the power so assumed is being exercised in a direction which is not in the permanent interests either of the railroad shareholder, of the American public or of what I may call sound railway practice.

W. M. Acworth.

MR. NEWBERRY'S NAVAL REFORMS.—II.

BY REAR-ADMIRAL CASPAR F. GOODRICH, U.S.N.

A SUBJECT which early engaged my attention was the prescribed method of conducting correspondence. For example, one day a letter from the Naval Constructor gravely reported to me, as commandant of the navy-yard, "for the information of the Equipment Officer," that steam-launch number so-and-so was ready to receive its wheel ropes, which, under the bureau subdivision of work, the Naval Constructor was forbidden to reeve off and set up. Impatiently I inquired why the Naval Constructor bothered me with such a trifle and why he had not notified the Equipment Officer direct. "It's against the regulations of the yard," was the reply, "and against the regulations of the Navy." Quite true, as a consultation of the authorities clearly showed. Naval Constructor Jones might mention verbally to Equipment Officer Johnson that a particular launch was prepared to receive the latter's attention, but he was forbidden to put this statement on paper except in a formal communication to the commandant. The rule was without exception and strict to the extreme. It had, as results, the piling up on any paper of purely formal endorsements, "Respectfully forwarded, etc."; a serious loss of time; turning the commandant into a distributor of mail; confining him to his desk during the greater part of his time in order that he might affix his signature to wholly trivial documents; and thus preventing his going about and detecting waste of material and slackness in the carrying on of work. Theoretically he was responsible for all that went on at the yard under his command; practically he was debarred from studying the yard's methods and necessities. The condition, preposterous as it appears, was the legacy from a period when the navy was small and when its business could be so

conducted without detriment or inconvenience. Evidently the time was ripe for a change. As I had no control beyond the limits of my own station, and as I preferred to lay before Mr. Newberry the actual working of a successful plan rather than a recommendation not based on experience, I entered upon an experiment and in July, 1907, ordered my subordinates to correspond direct with business firms and with all officers subject to my command on topics that *already had my own or the department's approval.* This was done for nearly the whole summer quarter of that year. In the fall a complete report was made to the Navy Department, in which a saving of from two to seven days in the transmission of correspondence was satisfactorily established with no drawbacks. Naturally such an economy of labor and time appealed strongly to Mr. Newberry, who called into his counsels the bureau chiefs, all of whom favored the new departure, some suggesting valuable extensions, and he widened the scope of my proposition so that it included features quite beyond my own domain and revolutionized the official correspondence of the navy afloat or ashore. He also granted my request for the elimination of unnecessary signatures on a multitude of reports and returns. Under the new *régime,* the commandant was invariably to receive the original order to perform a piece of work, whether to build a battleship or to repair a leaky condenser. After that, the details were adjusted between the bureaus in Washington and their representatives at the yard. The latter, so far as my own observation goes, were scrupulous in keeping me informed of the progress of work in hand, and with a few insignificant and inadvertent exceptions I never failed to get all the communications which should have come to me or which I cared to see. If there was any deviation from this practice, it was rather in my receiving letters which ought to have gone straight to their ultimate destination. Old habits were hard to break and, again, bureau chiefs and other officials preferred sending me too many papers to incurring the risk of accidentally ignoring me. The objection that the commandant would lose in power and prestige was found to have no basis in fact, rather did he gain through being no longer swamped under a mass of papers. The great undertaking of preparing the battleships for their famous cruise around the world afforded the first severe test of these direct methods of correspondence and proved

their value beyond peradventure. I doubt, indeed, whether, under the old order, it would have been possible to complete their repairs and alterations in time for the ships to get away on the day fixed for their departure. The president of a large industrial establishment could not do his whole duty by his stockholders and customers under the old regulations governing naval correspondence which, nominally upholding the dignity of the commandant's position, virtually reduced it to the rôle of a mere post-office. It is believed that no other branch of the governments transacts this part of its daily business on such simple lines and that to-day no large corporation has so little of red tape in its clerical branch. A speedier and more sensible mode has not been devised for getting letters to the person for whom intended than this which expedites transit without sacrificing the interest, the prerogative or the responsibility of those in authority.

It would be untrue as well as ungenerous to pretend that I was wholly unaided in this and my other efforts to put schemes of reform in working shape for Mr. Newberry's consideration. Even where, as in this case, the original conception was my own, still more in others where it is difficult to determine to whom to ascribe credit for the initial suggestion, I was greatly indebted to my associates in New York and to friends elsewhere.

My relief from the drudgery of the desk was great and instantaneous. From having daily to sign many hundreds of papers of no consequence I found about forty, on the average, all that really required my name. To their contents I was now at liberty to give the attention and study which their importance demanded. A reduction of clerical force ensued naturally, as well as opportunity to watch the conduct of affairs at the navy-yard, check abuses, stimulate activity and determine how I could carry out Mr. Newberry's views on the subject of simplifying yard organization and methods. To this subject I devoted much thought, endeavoring to ascertain how nearly the ideal might be reached under the peculiar conditions imposed by the nature of things into which I cannot enter here. Some compromise, however regrettable, was imperative in order to achieve the possible. To submit a scheme redistributing all the shops and all their operatives would at this moment have been foolish in itself and embarrassing to my chief. One step at a time seemed

more prudent, and I had no doubt that even then the general advance would be as rapid as consistent with a healthy growth. Time must be allowed, I saw, for each readjustment, else would the entire machine be dislocated.

My first recommendation was in the nature of a "*ballon d'essai.*" I merely asked authority to have all patterns at the New York yard made in one shop instead of in four shops as hitherto, and to concentrate the necessary tools and employees in that establishment which then was doing two-thirds if not three-fourths of all work of this kind. About six weeks were consumed in my letter's journey through bureaus and back to the Assistant Secretary's office. In the mean while I advised, in addition, that one shop in each case should replace the four paint shops and the five carpenters' shops. Shortly afterwards Mr. Newberry directed further consolidation, merging into one each the three coppersmith shops, three foundries, five blacksmith shops and two plumbers' shops. A notable beginning was thus at once effected in the project of concentrating work and responsibility and of placing our navy-yards on a business-like footing. That this was accomplished without opposition or friction could not be expected. Protests open and protests covert, remonstrances from labor-unions and politicians, gloomy prognostications of inability to cope with future emergency demands, appeals to continue in office foremen and others whose places were eliminated, all these abounded to the no small inconvenience of Mr. Newberry, whose time, in too large measure, was taken up with hearing complaints, discussing them politely and considerately with their bearers and never ceasing to assure the latter that the good work was to go on at all costs. It was, naturally, exceedingly regrettable that men should find their offices abolished after many years' occupancy, but the government's interests were held to be paramount. Injustice to the individual was avoided by throwing open the new foremanship of the consolidated shop to competitive examination, securing the best man available. In these examinations much weight was given to previous performance of duty in order to protect those who could claim long and faithful service. But this was a rude awakening to the sinecurists thrown upon their own resources in a cold unsympathetic world, their only prop, the unwarranted reliance upon the assumed influence of some local boss, being ruthlessly shattered.

Here for a while consolidation halted, affording an opportunity to perfect minutiæ and to solve the various side questions necessarily aroused by so radical a change.

The bureau system had, as might have been predicted, resulted in the establishment, in each yard department, of its own storehouse where were gathered and kept large quantities of material acquired for its own special needs, which thus became unavailable for general use. Things needed by A were bought for A, even though B had them under his own lock and key in superabundance. That each shop should have a small amount of fittings appropriate to its immediate work is universally admitted, but these should not be in excess of strictly guarded necessities. In these "present-use" stores, as the British call them, time and money are saved, but to hoard material merely because it may possibly be wanted at some future time is indefensible, yet this had occurred on what may almost be termed a vast scale. To bring these outlying stock-rooms to a modest and proper size, to withdraw from them their excess, and to place the latter in the General Store House at the disposition of all yard departments was truly a labor of Hercules, producing much heart-burning in execution. The prevailing practice was not only unauthorized, but it was a direct infraction of the regulation by which Mr. Whitney, when Secretary of the Navy, had created a General Store at each yard. Few of my efforts cost more in time, thought and persistence than this successful attempt to enforce the Department's unequivocal order. Little by little the yard departments disgorged their accumulations and turned back, for the use of all, articles valued, by a conservative estimate, at hundreds of thousands of dollars.

Fundamentally, navy-yards violated one main underlying principle observed in all well-conducted manufacturing concerns, that the man who does any particular piece of work must not himself be the inspector of that work. Both economy and accuracy demand an independent and unprejudiced inspection. The bureau system was here at fault. The bureau would direct something to be done, either in the way of manufacture or of repair. The order would be executed by the bureau's representative at the yard, passed upon by him and by him, of course, pronounced to be good. If it contained errors in quality of material or in workmanship these might be detected after the article made or

repaired had passed into service, too late, however, to be remedied. The principle here referred to was strongly espoused by Mr. Newberry and was a guide, as will appear, in his subsequent drastic measures.

Another feature of the navy-yard methods was that each yard department kept its own cost sheet, debiting any item with the material used and the labor expended. It was thus possible to manipulate the charges so that a particular job order might not overrun the estimate, the excess at one point being covered by a gain at another. That this happened I am unwilling to aver; but when the costs as reported came habitually within a few dollars or a few cents of the sum allotted such mathematical exactness could not fail to arouse suspicion even if not justified. Moreover, the costs, as thus determined for identical product, were not comparable with those of outside concerns which were obliged to take into account what are known in the industrial world as "overhead charges," including capitalization, interest, insurance, taxes, administration, etc. This phase of the question had early engaged the attention of the Navy Department. My own contribution was the earnest recommendation to establish at my yard a central accounting office independent of the manufacturing shops, which I believed should not be allowed to perform the duty of bookkeeping. As each bureau had its own peculiar forms and processes, my recommendation aimed not only at accuracy, but at simplicity and uniformity. This matter was not lightly to be dealt with, for it involved long study of what outsiders had found beneficial, together with most painstaking search after what was best adapted to the navy's needs. Immediate acceptance of my suggestion was not feasible, but steps were taken at the Department to reach the end that others besides myself had recognized as desirable if not essential. The newspapers have recently noticed the excellent results reached at the Boston navy-yard in carrying out this scheme so warmly urged.

To enumerate all that Mr. Newberry did to introduce business methods would consume far more time and space than are available; one or two instances, however, ought not to be neglected. While rich in returns, they are chiefly notable as illustrating with unusual clearness his manner of regarding questions affecting economy in manufacturing practice. Early in 1908 I called

his attention to the great variety of tool steel brands asked for by the different navy-yards. At Portsmouth, let us say, "Apple Blossom" was held to be the only kind fit to do its work; at Boston "Peach Blossom" was indispensable; New York, Philadelphia, Norfolk, Mare Island, etc., each demanded its own choice, without which it was maintained suitable results could not be obtained. Now these brands (purposely here given fictitious names) are proprietary. To insist upon any one of them was to disparage others, to shut out competition and to pay a fancy price. As the navy used large quantities of tool steel, one yard in one department alone asking for 80,000 pounds as its annual supply, it appeared to me that by lumping all those demands and establishing exact specifications of the needed chemical composition and physical characteristics better prices and uniform qualities might be secured. Mr. Newberry accepted my suggestion and appointed a "Tool-Steel Board" composed of competent officers drawn from the manufacturing bureaus, who, after exhaustive study, laid down standard specifications for the different varieties needed. The very first "high-speed" tool steel under these specifications was bought for thirty-odd cents a pound, whereas for no better material the price paid had previously ranged between eighty cents and a dollar and a quarter. The Tool-Steel Board went still further and on my advice recommended that all lathe and planer tools for the navy-yards on the east coast be made at one place. Mr. Newberry approved the work of the Tool-Steel Board and established at League Island, Philadelphia, a complete plant capable of furnishing all required standard tools of any size, uniform in shape and temper, and at a commercially cheap rate. Through the consequent closing of tool-rooms at other yards a great economy became possible, for it must be remembered that every yard had as many tool-rooms as it possessed manufacturing departments, all of which were to be abolished, reserving only the means for grinding dulled tools and for making the few infrequent special shapes required for some exceptional job.

The desirability was brought to his notice of doing away with the fixed semiannual allowance of material to ships in commission which had produced a large and costly accumulation of unused articles to encumber their storerooms and in certain cases to deteriorate before wanted. In solving this question, not

my own lines, but those of the Paymaster-General were followed. To seven battleships selected for experiment a money allotment in lieu of the heretofore list of stores was granted. The reports recently made public show a saving in their cases of about forty-two per cent., which, if extended to the whole Navy, reaches the not inconsiderable sum of about $750,000.

Up-to-date methods of transporting material in the navy-yard were adopted, with periodical deliveries of stores during the day along carefully laid-out routes. Carts and wagons, previously assigned to each yard department for service and often held in idleness "subject to instant call," became things of the past. These measures, apparently insignificant, are worth to the government many thousands of dollars annually. That large private industrial establishments should send representatives to the New York navy-yard to study this phase of the scheme, with a view to copying it, speaks volumes for a really high pitch of efficiency.

These instances briefly touched upon prove the varied nature of the reforms to which Mr. Newberry gave the breath of life, but they do not by any means exhaust the list. Leaving unnoticed many others equally interesting, it is time to take up the great move by which his administration when Secretary of the Navy from December 1st, 1908, to March 4th, 1909, will always be remembered.

The bureau system led to a peculiar and minute yet logical subdivision of work on ships coming to the yard for repairs. For example, a bureau that had to run electric wires could not drill holes in the bulkheads. It must hold back its men until another bureau to which this work belonged exclusively had cut a proper way for it. The rule and the practice created a sort of Brahministic caste, making another bureau's work accursed and unclean. Where a gang of all-round mechanics, if unhampered, could have pierced steel plates, put up conduits, strung wires and pushed the job to a speedy conclusion, the bureau system kept one set of men waiting for another set to get out of the road. Imagine the opportunities for wasting time when three bureaus got to work in the confined space of a gun turret; imagine the disgust of the turret officer, anxious to get his guns and their appurtenances in order, at seeing yard workmen sitting down, unable to proceed until other yard workmen employed by a different bureau should drill a hole in a gun-carriage or in the turret wall.

A general and coherent supervision was also lacking. No one was responsible for the job as a whole; two, sometimes three, foremen would split it up into parts and be content when their individual share was completed. Usually they pulled together, but by the grace of a spirit of co-operation, not because a common superior was at hand with the club of authority to make them act in harmony.

Evidently the remedy lay in concentrating all mechanical work under one head and in creating a body of expert, disinterested inspectors, both directing head and individual inspectors responsible to the commandant and the latter in turn accountable to the Navy Department. Now this is briefly the essence of the remedy Mr. Newberry applied, as a careful reading of his famous General Order No. 9 and of the explanatory memoranda of January 25th and February 18th, 1909, abundantly proves.

His predecessors had confined their efforts in the direction of navy-yard reform to statements of the case and to recommendations contained in their annual and other reports to the President. They appeared, if the expression may be permitted, to shy at the magnitude of the undertaking, and to look to Congress for enactments covering the exigencies of the situation. Mr. Newberry, on the contrary, found in existing laws and executive sanction all the authority necessary. Relying on these, he had the courage to act where others had only discussed, and on January 25th, 1909, he prescribed that at all navy-yards and stations (except the Washington navy-yard, the Torpedo Station, Proving Ground and Naval Magazines, the exclusive province of the Bureau of Ordnance) all work not involved in the handling of stores, the manufacture of clothing and the preparation and handling of provisions be given to the naval constructor under the direction of the commandant. He abolished the yard manufacturing departments, merging them into one great manufacturing department and made their former heads inspectors of the work in which they were concerned. The Naval Constructor became the manager of the Manufacturing Department. Separate pay-rolls were discontinued and substantially all workmen's names borne on one general roll. The responsibility of the commandant in the control of every department of the yard was reaffirmed; the duties of the inspecting officers clearly set forth; the consolidation of shops by bringing under one roof all ma-

chinery and apparatus of like nature was authorized and the combination of all separate plants into one industrial plant in accordance with the best commercial methods was enjoined; the execution of work to the satisfaction of the inspectors was positively commanded. These latter were given every possible facility for carrying out their instructions. It became their business to follow up any piece of work through all its stages and wherever executed, to see that everything was done which should be done, and to stop work at once if not properly done.

The inspection of repairs and alterations on board ships in commission was made the responsibility of the commanding officer, who could either discharge it himself or by such of his subordinates as he elected to detail for the purpose. The naval constructor no longer could pass upon his own work; that was to be done by the ship's inspectors in the case of vessels in commission, otherwise by the yard inspectors. These, then, at the risk of repetition, are the broad outlines of Mr. Newberry's scheme—the amalgamation of all manufacturing departments; the creation of an independent body of inspectors; emphasizing the commandant's supreme authority and granting him still wider powers; holding up the best methods and practices in civil life as the goal to be kept always in view; reduction in the number of foremen; simplification of papers and reports; placing of commanding officers and others who required work done in immediate communication and co-operation with those who had to do that work, etc. It is not practicable within the limits of a magazine article to go farther into detail even if this were advantageous. After all, the main result achieved was the destruction of the bureau system at the navy-yards, something once believed to be absolutely impossible.

One feature of Mr. Newberry's plan was more productive of criticism and censure than all the rest combined. By making the naval constructor *ipso facto* manager of the Manufacturing Department he, of course unintentionally, revived in full force the always present, if dormant, line and staff controversy. The line, as a body, resented this concentration of authority in the hands of the constructors, whom it believed already too powerful. Personally, as a line officer, deeply imbued with line traditions and prejudices, I shared this regret, and I wished that the Secretary had not limited his choice of a manager of the Manu-

facturing Department to one corps, but had left himself free to appoint to that place the officer from any corps best fitted to fill it. My predilection would naturally have been a competent line officer. Doubtless had Mr. Newberry possessed the time for experiment, he would have asked opinions on this score and have given them due weight, but time was lacking. It was only about the middle of January when he received the executive sanction, and his term of office was to expire on March 4th. What was to be done must be done quickly or not at all. Is he to be seriously blamed for seizing the tool readiest at hand and for making it to the interest and credit of the strong and able construction corps to push his plan into immediate operation? Feeling that his project was for the good of the whole service and not for his own glorification, how could he have justified to himself the refusal to adopt the one means by which he could secure that prompt and vigorous action which the case required? Furthermore, he may have thought that the constructors were, all things considered, the persons most available and best adapted for this duty, for, as permanently shore-keeping officers, they could be thoroughly trained in that most difficult art—shop management—and thus be enabled to achieve the greatest economy and rapidity of work. In any event, it was incumbent on all concerned to obey cheerfully the Department's and the President's order, no matter what their individual opinions may have been. To act otherwise would be abhorrent to the very spirit of a military organization and fatal to its discipline. I hold no brief for Mr. Newberry, greatly as I admire his character and achievements, and I write without his knowledge, so that I may not correctly interpret the workings of his mind, but I am quite confident that I am not far wrong in my speculations as to the probable reasons for his action and the changes he might have deemed it expedient later to introduce. There is nothing in his orders on the subject hinting at finality. What experience should prove to be desirable in non-essentials would find a ready welcome, but the main objects, economy and responsibility, must always be kept in view. Details might be changed; indeed, the necessity for such changes was admitted as more than likely. Never was a plan so wide-reaching and momentous in its consequences promulgated with so frank a recognition of its deficiencies in smaller particulars.

The paramount control of the commandant received especial emphasis. Nothing within the yard could take place without his sanction. Every step in establishing the new order was done by his positive command or consent. The instructions to his subordinates by the manager of the Manufacturing Department received the commandant's careful consideration in advance and were only issued "by the commandant's direction." He laid down the rules to govern the various inspectors and the interrelation of the different branches of the yard, the paymaster's office, the storehouse, the inspection of supplies, etc. Surely subordination to the responsible head could go no farther. If a commandant allowed his power to pass out of his hands into those of his juniors it was by his own act. If he chose to abandon any of his prerogatives, it was his doing and not the outcome of the scheme. Blame the weak-kneed commandant, if any such there were, but do not blame a system which made him supreme.

The preliminary partial consolidation had already rendered available for general use much space in the yard buildings. The complete consolidation extended this advantage so that every one had all the space he needed, and thus the yearly requests for new shops and more machinery disappeared automatically. It was held by Mr. Newberry that the existing facilities must be utilized to their fullest before any request for additions would be considered. How great was this gain can be perceived through a comparison of past and present demands for yard "improvements." If anything is asked for now, it will be because of an imperative and justified want impossible otherwise to fill.

The original concentrating of blacksmiths, carpenters, painters and plumbers alone yielded an economy of about $1,000 a month at New York. What the whole Newberry project* will achieve, I cannot say, but the prospect of great savings was already bright on March 4th last. Some there were who estimated it at the cost of a battleship per annum, or, say, ten millions of dollars.

That time was also saved is shown by the instance of the "Chester," whose repairs were started under the old system, but completed under the new. The ship was able to sail at least ten days earlier than the date fixed by the original conditions. Now

* This was written before Mr. Secretary Meyer introduced certain modifications into his predecessor's plan.

quick work in mechanical operations spells lower cost, as every manufacturer knows. Putting all work into one hand and providing numerous inspectors to follow up the operatives at all stages produced harmony of effort on the one side and eliminated loafing on the other. As one commanding officer said, speaking in enthusiastic terms of the Newberry scheme: "All officers attached to the ship are astonished by the rapidity with which the work is carried on and by the faithfulness of the workmen. I have never before heard a calker's mallet after the whistle blew to knock off." From a captain in Boston the report came that "everything is working well and surprising the Atlantic Fleet."

Formerly when a ship came to a yard for repairs the captain virtually gave up command except as to her personnel. Work might be begun, carried on and finished without his knowledge. The suggestion that his consent ought to be secured before undertaking each item would have been treated as amusing sensitiveness on his part. The ship existed for the benefit of the yard and not, as Mr. Newberry decreed, so far as he could make it, the yard for the benefit of the ship. Speaking of the conditions then prevalent, a captain said: "I found some yard workmen in my cabin one day about to carry off my writing-desk. When I remonstrated and told them that I was satisfied with the desk and didn't want another and asked why they were removing it, anyhow, they replied that it was by the naval constructor's order. And the desk was carted away." If the yard authorities made a point of keeping the captain in touch with repairs contemplated or in progress on his vessel this was a courtesy on their part and not a right on his. Had they not their bureau's commands? It is not, therefore, remarkable that seagoing officers resented being thus ignored and that they were ready to welcome Mr. Newberry's putting ships and yards into their true relations to each other and making the captain absolutely responsible for the character of the work done on his vessel. This must be to his satisfaction or somebody else would suffer. He might, if he desired, perform this duty of inspection by deputy, but the accountability was his alone. His representatives, like the yard inspectors, must stick close to the job from start to finish and follow every part in all the various operations from draughting-room, through pattern-shop, foundry, machine-shop, etc., till in place afloat. If things went badly they might

(again like the yard inspectors) stop the work at once whether in yard shops or on board ship and report their action to the captain, who would take it up with the manager of the Manufacturing Department. Should the matter not be settled to his liking, the captain could go straight to the commandant, whose decision was final but with appeal only to the Secretary of the Navy.

It is unnecessary to point out the value of these rigid inspections in educating sea-going officers in mechanical processes and thus fitting them to undertake intelligently minor repairs on board ship when remote from a navy-yard.

Every item of repairs authorized to be done on board a ship is set forth on a form known as a "job order." In the old days captains sometimes heard of this form through rumor. Under Mr. Newberry's plan, however, copies of all job orders concerning his command were filed with the captain. These job orders are not general and sweeping, but specific in nature. Manifestly it is not always possible to begin them all at once. You cannot set up the rigging before the mast is stepped or mount a new gun before the old one is removed. In order to keep the ship's officers informed at every stage a yard foreman, when about to take up a new job order, went on board the ship, reported to the lieutenant of the watch (the captain's representative) that he had come for that purpose and requested him to notify the officer designated by the captain as inspector in order that nothing be done contrary to his wishes. Surely the ship's officers could not be treated with greater respect and consideration. For ignorance on the captain's part Mr. Newberry's order as developed by the commandants substituted knowledge; for ill-defined (or no) responsibility a rigid accountability; for neglect of the seagoing officers' interests a frank and hearty invitation to co-operate with the shore people, to scrutinize work done for the ship, and to reject whatever fell short of the proper standard either in material or in workmanship. From being idle lookers-on with no voice and with only the reserved privilege of finding fault too late when a thousand miles from the land the ship's officers were turned into real inspectors clothed with great powers; into judges whose verdict must appear on every completed job order.

In unavoidable lack of a constant watch by an interested su-

perior the yard workmen under the ancient *régime* had little incentive to steady labor. Theoretically the yard officers and foreman maintained close supervision; practically this was often impossible and industry waxed during their presence and waned during their absence. The introduction of the ships' officers as inspectors wrought a wonderful change. Employees were afraid to idle on board ship lest, reported for misconduct, they be discharged or otherwise disciplined. If they should shirk with impunity the fault would lie with the captain who permitted them to do so.

The encomiums of the seagoing officers, and particularly of the younger men who were able to contrast the new with the old *régimes,* were many and frequent. Some criticisms were heard, as might be expected. No one ever held Mr. Newberry's scheme to be flawless. These strictures related either to some local slackness in carrying out his ideas or to certain of the general lines along which he believed himself obliged to proceed. The increased rapidity of work and the disappearance of friction between jealous and conflicting yard departments were quite universally conceded. In some cases possibly officers found themselves annoyingly restricted in their movements through having to stay on board ship for inspection duty until the yard whistle blew at the end of the employees' day. Let us all hope, as I believe, that these instances of discontent were infrequent. In effecting so radical a departure some sacrifices of prestige and of comfort were unavoidable, but if the navy as a whole truly benefited, none of its members after the first twinge could fail to approve, even if the gain be at his individual cost.

One single advantage of Mr. Newberry's scheme ought to outweigh a host of disadvantages, if such exist. *It is essentially a system for time of war.* On the approach of hostilities the only change in the personnel at navy-yards will be an increase of force; the methods and the managers will remain unaltered.

Public interest in the navy is something of which the navy is proud. It is better to be investigated and criticised than to arouse no attention at all; better for the public which loves the navy and wants it perfect; better for the navy itself which conceals nothing, not even its own shortcomings, secure in its own conscious desire to deserve well of the country. This very frankness has made the navy the target of those omniscient persons

who in the twinkling of an eye can put to rights everything except their own affairs.

I have candidly described former conditions as I saw them and the measures taken by Mr. Newberry and those associated with him to bring in a better order of things. As candidly I state my earnest belief that no department of the government is as wisely and economically administered as is the navy; that in none is the percentage of waste so small; that in none does there exist so firm a determination to eliminate that small remaining percentage; that none is so free from red tape; that in none do the business and manufacturing methods so nearly approach the best models in civil life; that none so little deserves the monopoly of newspaper and other censure. When the spirit of reform invades other branches of the administration it will be the navy's turn to laugh at its neighbors, now chuckling in unholy glee, for the time is surely coming when the navy will enjoy the distinction of having been the first to set its house in order, impelled thereto by inner conviction of right and not by public clamor or pressure from without. A shining example, it will point the way to the highest attainable efficiency for its colleagues to follow as gracefully and rapidly as they can if they aim to reach the standard which public opinion is beginning to exact of public servants high and low. After all, he laughs best who laughs last.

CASPAR F. GOODRICH.

MR. HARBEN'S GEORGIA FICTION.

BY W. D. HOWELLS.

PROBABLY each of us is significantly born in this place or that, of one color or another, and Jew, Christian, Moslem, Buddhist or Shintooist, as the case may be. But so far as anything of interest or importance happens from us, we might most of us have come into the world at one place as well as another and under conditions wholly different from those actually attending our nativity. As a matter of fact, vast multitudes of us take our destiny into our own hands at a given period, and defeat whatever were the prenatal designs without apparently disturbing the equilibrium of the cosmos, or seriously interfering with the imaginable purposes of the Deity in creating us native Irish, Germans, Russians or Italians when we become adoptive Americans. But this is in the region of politics or economics, and if we come to look at a man in his relation to æsthetics, we perceive a certain inalienable propriety in his being of this origin rather than that. Not to go abroad for instances, where they abound in the sharper national and racial divisions of Europe, I think we can see good reasons for Mr. Cable deriving from New Orleans, or Joel Chandler Harris from Atlanta, or Miss Murfree (in the mask of Charles Egbert Craddock) from Eastern Tennessee, or Mr. James Whitcomb Riley, Mr. Henry B. Fuller, Mr. George Ade, Miss Edith Wyatt, Mr. Hamlin Garland, Mr. Will Payne, or Mr. Brand Whitlock, and others yet from the Middle West, or Sarah O. Jewett, or Mrs. Wilkins Freeman from New England. If the occurrence of so potently characterizing a Chicagoan as Mr. Robert Herrick at Cambridge must give us pause in the flow of our speculations, it is doubtless to enable us to note the rule in an exception. Certainly in the extraordinary development of local literature among us, ever since the Pacific Slope began to express

itself in the peculiar colors and cadences of its romances and poets (who were none of them born on its declivities because they were all born too soon), we have to confess an apparent divinity in the geographical distribution of American authorship. I will not go back for proof of my thesis to those great New-Englanders and less New-Yorkers of an earlier generation, who may be imagined looking down with their respective misgivings upon their successors since swarming into print from every school district throughout the country; but I think we can discern in all our decentralized authors a congenital fitness for the work they have done for the life of their different sections. In this sort of work there has seemed to me the highest promise of a national literature and in the devotion, the æsthetic patriotism, if I may reach out for a meaning rather beyond the phrase, I have read the prophecy of something finely and finally American. If the reader will try to think what the state of polite learning (as they used to call it in the eighteenth century) would now be among us, if each of our authors had studied to ignore, as they have each studied to recognize, the value of the character and tradition nearest about them, I believe he will agree with me that we owe everything that we now are in literature to their instinct of vicinage. For my own part I have delighted to find myself at home in every part of the Republic through the truth of these far or near fellow citizens, who made me aware of being, in virtue of my mere Americanism, almost my mere mortality, the friend and neighbor of the people they made me acquainted with.

But there are more intimate reasons yet for my feeling at home in their hospitable pages. It was a good many years ago that I drove away from the station in Chicago with a family party in one of Mr. Fuller's novels and found myself very comfortably akin to them through the reality with which he had ascertained them Middle-Western people; and just the other day, when I was reading the faithful fiction of Mr. Will N. Harben, I was agreeably surprised to find myself rather North-Georgian through a community of many social traits. I perceived how largely the South, at least in its newer and simpler life, had characterized the Middle-Western region where I was born. I met in his stories manners and customs and even ideals which were more familiar to my boyhood than those of the East. But it is of

contemporary Georgia that Mr. Harben is always writing, and it is the pioneer period still persistent there, but long past in Southern Ohio, that he is always describing, with its wild passions, its fights and frolics, its intensely personalized religious experiences, its beliefs unshaken by modern question, its exaggerated sense of honor. Since my earlier day New England has come in with the arts and letters and transformed my native region out of all likeness to his. New England will go to Georgia, too, in her good time, with something better than child-labor in the factories; she has, in fact, already gone there with industrial schools for the blacks, and no doubt she will bring to the whites humaner ideals and gentler customs than they have evolved for themselves.

Of all our localists, as I may call the type of American writers whom I think the most national, no one has done things more expressive of the life he was born to than Mr. Harben. He was known by his sketches and stories of Northern Georgia before he conceived the notion of portraying his old neighborhoods in the dimensions of that sort of human comedy which every writer attempts sooner or later. But some ten years since he gave a hostage to criticism in fiction of mature stature and manly make, which he has redeemed again and again by his subsequent novels. That first novel, a tale of cruel love and morbid conscience, has been followed by eight others of like dimensions and textures: "Ann Boyd," "Abner Daniel," "The Substitute," "The Georgians," "Pole Baker," "Mam' Linda," "Gilbert Neal" and "The Redemption of Kenneth Galt," all except the last concerned with character racy of the soil and native to the air and sky. I shall first have done with this last in saying that I do not think it comparable to the others; it affects me like a labor done at the suggestion of ill-advised friends who wish their novelist to prove himself capable of higher art than that highest art of all, which is the realization of genuine life on the levels so mistakenly supposed to be low. This is sometimes the erring ambition of the novelist himself, and when he fails in it he fails to his honor and advantage. I am disposed to congratulate Mr. Harben on his failure with the factitious people of his latest fiction; he was built for truer work. At its truest his work is masterly, but I will not say that even in his best novels it is of a sustained mastery. It is apt to falter from a mistaken

ideal of fiction as something to be kept interesting by abnormal activity of plot, instead of following the vital suggestions of reality. In the world of morals it is not the things which go into a man which defile him or cleanse him, but the things that come out of him; and in the world of imagination it is not what happens to a character, but what happens from him that counts. If Mr. Harben, for instance, could have sustained his story of "Westerfelt" on the level of its opening chapters, he would have created a masterpiece worthy of the great modern Spaniards or Russians, and rare in our besotted Anglo-Saxon fiction, where it is supposed that the actions and not the emotions are the drama. At times throughout he does return to that level, and the tale is always simply faithful to the unsophisticated circumstance of its people; but it is not so constant to it as to merit the praise I should like to give. I could not praise it too much for the strength and courage with which it portrays the anguish of the poor girl who drowns herself, and the bitter hate of the mother for the man who had forgotten rather than slighted her. Afterwards there is something fine in the way the mother's rancor loses itself in her better knowledge of the facts, and the story is bravely true to life in its course away from the tragic beginning to the fortunate ending; a weaker hand might have left it steeped in gloom. Mr. Harben is apt to save himself from the reproach of romanticism by honest dealing with his material when the temptation to dishonesty would be too strong for an art less simple and less wise than his. Where his artificiality comes in is through his obedience to an elder tradition of romance, but there are not many such hints of his reading in his writing. His people talk as if they had not been in books before, and they talk all the more interestingly because they have for the most part not been "in society," or ever will be. They express themselves, without straining for dialect, in the neighborly parlance which their experience and their observation have not transcended, and they express themselves with a fury of fun, of pathos and profanity which is native to their region.

In all countries the Southerner seems to be the same in his difference from the Northerner, but in our own South the average man has been characterized by the habit of slavery, and this habit still lingers, after the fact of slavery, in the violence of the whites towards one another and their obduracy toward the

negroes. For the most part Mr. Harben's Northern Georgians are of the poor white class, who were not slaveholders, but who seem to have more than halved the slaveholders' contempt and cruelty in their attitude toward the subject race. They are small farmers, who till their own land; they are pioneers; they are backwoodsmen almost in the hunting and trapping stage; they are illicit distillers; they are traders, tending by instinct to the mountain towns, where they enter commercial life, with an ambition for the great business activity of Atlanta, their metropolis. The storekeeper is the plutocrat of the region, not surpassed in social dignity by the lawyer; he is the ultimate equal of the obsolescent aristocrat, the man of old family, without ceasing to be the friend and neighbor of the mountaineer farmer who trades with him and guards a jealous pride even in the toils of mortgage. In all Mr. Harben's stories some type of this mercantile magnate occurs; he is the new force, and very interesting in his relation to the strength of the ancient conservatism. The equality to which he lends himself, and which seems to shape the whole social fabric, is more formal than real, but still it is truer equality than ever pervaded the New England village life. In fact, whatever equality is rife among us in the enormous disparity of fortunes, is from the South rather than the North, where the ideal was always liberty, a barren and effectless thing without equality.

The mountain folk who live in the books of this novelist almost as palpably as in the shadow of their native woods or on the slopes of their rocky hills, in the log cabin of the pioneer times, or the yet ruder and more provisional shack of the first settler, or the unfinished frame house of the universal American farmer, are far simpler people than the village merchants. Their days are divided between killing toil and wild riot, and their virtues are of the same excess as their vices. It is a condition in which religion holds the sway which it seems to have lost elsewhere; the man who is not a church member is a lost soul even in this life; and the preacher is of a mystical power and influence unknown in civilized communities. He is a frequent figure in the stories, and the author has not hesitated to show him sometimes brutal, cruel, in his fanaticism, and sometimes coarse even to the verge of indecency. The passions are lords among these primitive people: avarice, envy, hate, revenge, lust, ambition, rule the men of Mr. Harben's Georgian mountaineers as they rule

Mr. Phillpotts's Devonshire moormen, and the like sort of virulent pietism passes for religion among both. But there is not wanting to either a depth of conscience, a power of good-will which transforms their creeds to a faith of sublime effect. One notable difference is that the mountaineers know nothing of the corroding doubts of the moormen, who are sometimes turned from Christians to Agnostics by the subtle and far-reaching intimations of modern science. So far as I recall the range of character in Mr. Harben's fiction, there is not even one of the old-fashioned Infidels, such as used to shake the souls of Northern villagers with the terrors of their cynicism. Good and bad are alike believers, and religion, in the absence of education, is the sole check on evil.

It is a check only too feeble when the passions are astir, and especially when the homicidal fury breaks out in the lonely fields or the shabby village streets. Then the old grudges are fought to the death with rifle or pistol, and the point of honor inflamed by real or fancied insult goads kindly men to sudden murder. The sum of bloodshed in these books is perhaps greater than the sum of any other one fact, but it would be unjust to the people among whom it mounts to such awful massacre not to realize, from the author's witness, that they have a real sense of homicide. More than one case of lifelong remorse lends its tragic gloom to his page, and is not the less affecting because it is expressed in natures of primitive simplicity, influenced by faith of child-like implicitness. Such a case is that of Hillyer in "The Substitute," who in early manhood has killed his friend in a flash of drunken frenzy, and who expiates his misdeed by a lifetime of endeavor at reparation, forever prostrating himself to a just and merciless God. The author's divination of the true way out for the wretched man is something uncommonly true and fine in fiction, where questions of the kind are so commonly begged, and his psychological reach over the lowly levels of life to the heights where men live in the spirit is certainly not the less striking because the life is that of common men and women.

Each of his stories moves from some strong central impulse and is in a way, not too obvious, epical. In his diction and in his conception of superficial character he is often prosaic enough, but in his psychological moments he is a poet of genuine quality. He makes no apparent effort to lift his material into a light where it will be more imaginable to readers of a higher

civilization; you take it on the level where he finds it or not at all. In fact, it is hard to say how much or little he is himself detached from it in his ideals; but it may be a "good fault" of his unconsciousness that he sometimes seems trammelled in his conditions and might be accused of admiring the things that his characters admire. Yet when it comes to any test this ethical sense is unclouded, and he holds the balance between right and wrong with a steady hand. He does not fail of justice to the worst and meanest of the people he portrays, and the effect of his justice is so convincing that you must accept his portrait as a study of conditions uncommon if not unsurpassed in Anglo-Saxon literature.

It is not part of my purpose to instance or analyze his different books. They are of one quality, though not one unvarying quality, such as derives from reality. He seldom loses himself in the factitious, and I should say at a go that he never loses himself in it when he is portraying the character of women. His women are all of a lifelikeness so convincing that you may, or may not, surprise yourself at last in the belief that the redemption of the South from the long delirium of slavery will be through the political importance of women. The recognition of this importance must come everywhere; when it comes to the women of the South, it will find them fitted for their old rights and their new duties as few other women in the world are fitted. The unrivalled freedom of Southern women, in all the avatars of womanhood from girlhood on, has given them power elsewhere unknown, with a trust from men that is almost pathetically entire (save for the jealousy inherent in Southern natures), and exalted by an ideal of chivalry vain and weak enough, but not ignoble. I do not think of any woman in Mr. Harben's fiction who is misimagined or imagined from a false conception of her relation to man. She is often enough in that world, as in this, silly, vain, false, vacillating; but she is also true, brave, good and constant, quite beyond the merit of the men who love her. I should not wish to instance Ann Boyd, in the novel of that name, as a faultlessly heroic character, but it is hard to keep from calling her sublime in the successive developments of her nature, which are always toward the light given her by experience. What one may safely say is that she is a great creature, and if she never was, that she is most worthy to have been

I say this, reserving my regret that in a last most difficult moment she is lent to the necessities of a melodramatic situation which does not seem to me a necessity of the author.

But, after all, though we may admire and enjoy Mr. Harben's success with individual figures, it is his power of handling conditions and imparting a sense of social situation that is most to be valued. His corner of that strange "new South," which is still for us such a *terra incognita* after our many inquiries and conjectures, is alive with what we feel to be genuine interests and real emotions. The past is shown us interpenetrated not only with the present, but with the future; novel and bold enterprises are turning from dreams to actions, and the people of an antefeudal civilization are seizing their significances with an avidity and strength, and adapting them to their ideals with an eagerness and intelligence not surpassed in communities more consciously modern. Together with these effects are the lingering superstitions and the fading illusions of other days, and often amid the latter-day actualities of Mr. Harben's scene we come upon the affirmations of the mistaken Confederate patriotism, which cannot accept the conclusions it cannot hope to question. This has its pathos, its dignity. At the same time one reflects that even failure cannot consecrate error.

W. D. HOWELLS.

ENGLAND AND SOCIALISM.

BY BRITANNICUS.

THE London *Times* has recently been publishing some very able and candid articles on the Socialist movement in Great Britain. The series has been less an examination of Socialist tenets than a description, and an extremely interesting one, of the various bodies formed to popularize them—their numbers, strength, propaganda, the pamphlets and newspapers they publish, their lectures, peripatetic vans and street-corner meetings, their successes in electing representatives to seats on local councils and in Parliament, the differences in their respective programmes, the moneys they dispose of; in short the whole machinery of the Socialist campaign. The impression left by the articles is unquestionably that of a large, active, enthusiastic and increasingly successful agitation devoted to Socialist aims. But though they have been widely read and have revealed much that was either unknown or unrealized before, I notice that there has been little or nothing in the nature of a Socialist scare. People have taken them quietly and have passed on to other things.

A year ago their reception would have been very different. A year ago Great Britain was in quite a hubbub over Socialism. It would have made a Frenchman or a German smile to see the avidity with which the ancient formulæ and catchwords, long chewed to death on the Continent, were being handed around in England. The papers were filled with letters and articles on this and that plank in the supposed Socialism platform. No other subject figured so prominently in the speeches of the politicians. Leagues for defending the middle class against an uprising from below, leagues for the protection of property, sprang on every side into merry life. Grave journals were exhorting us to rally round our religion, our hearths, our possessions, our

families, the throne and the marriage tie; and dukes went about denouncing Socialism as "the vilest of political creeds," "a programme of undiluted atheism, theft and immorality." For the first time the Socialists were getting something like a national audience. For the first time Englishmen heard themselves addressed as "comrades." They were beginning even on the tops of omnibuses to talk with quite a knowing air about "collectivism" and "individualism" and the "State" and what with the Unionists alternately denouncing the Socialists and angling for their votes, with the Liberals vehemently exculpating themselves from the charge of being the secret allies of Socialism, with the Labor men and the Trade Unionists repudiating the Socialists one day and embracing them the next, and with the Socialists themselves shouting their triumphant faith that "the Revolution" had at last arrived—it was no wonder that many nonsensical alarms found greedy acceptance and that the country, like a healthy man smitten with the first sudden symptoms of disease, began asking itself in amazed trepidation what had come over it and how it was all going to end.

But in the last fifteen months things have cooled down considerably, and it is easier now to estimate with some approach to rationality the chances of Socialism succeeding in such a country as England. A dispassionate observer would not, I think, rate them very highly. He would at once perceive that England possesses a dozen safeguards that are non-existent on the Continent, and that Socialism in England has to overcome obstacles the potency of which can scarcely be exaggerated. Among those obstacles the greatest and most permanent is the British national character. As people we dislike large views and suspect short cuts, in politics especially. Our genius for compromise may be merely another term for our genius for stupidity, but it is a great and fundamental fact nevertheless, and it has served us well. We are blessed with a stubborn insensibility to ideas. They do not fire us, they do not even irritate us, we simply ignore them. Our work and our instincts are altogether concrete. Abstractions bore us. We have a pestilential habit of testing all arrangements and institutions by one unvarying formula. We do not ask what is the principle that lies behind them or the theory on which they are based, but simply, Do they work? That is the only kind of logic

we are acquainted with—the logic, not of ideas, but of experience. It is not at all a bad sort of failing. It has made our historical evolution a placid jog-trot down the middle of the road. It puts us on our guard at once against symmetrical Utopias, annihilating remedies and the political cure-all. It has made us, no doubt, too tolerant of abuses, but it has also enabled us to develop phase by phase a political and social system which alone in Europe has stood the test of centuries. We care nothing for dogmas and everything for their practical results, nothing for definitions and explanations and everything for facts. The thing that is absorbs us; the thing that may be just mildly interests us; on the thing that might be, and especially on the thing that ought to be, we can hardly be induced to waste a moment's thought.

I cannot, in short, imagine a people temperamentally more averse from Socialism or any other "ism." In France, where to be logical is to be statesmanlike, where speculative philosophies and grandiose ideas exercise an almost appalling fascination and are pushed home with inexorable precision, and where the notion prevails that all human affairs can be solved like a problem in algebra, I can well understand that the doctrines of Socialism find a wide acceptance. But in England they are at an almost grotesque disadvantage. We have been educated above them in one sense; we are not educated up to them in another. Every inherited instinct of moderation and "practicality" and of preference for the great thing over the great name, leads us to fight shy of Socialism as a visionary and untried perhaps; while to the idealism that inspires it we are totally inaccessible. That we are capable of idealism we have shown often enough, but always in relation to some specific and immediate issue.

Again, the tradition of individualism is still strong among us. It is not so strong as it was; it weakens in proportion to the increasing sensitiveness of the State to evils that in the past were comfortably ignored; but it is even now a more powerful bulwark than any European people, or indeed any people at all except the Americans, have to offer to Socialism. We have next to none of the paternalism that is bred in the bones of the Latin communities and that has been drilled into the consciousness of the Germans. Our instinct is always to cut free from

the State instead of leaning on it. We tolerate officialdom, but are very far from reverencing it. We make use of the functionary as a convenient utility, but we do not envy him. The moment Englishmen realize that Socialism is, in effect, the Inquisition in a civic mask they will have nothing to do with it.

The motive-power behind theoretical Socialism, Socialism in the abstract, as one sees it on the Continent, is the longing for a transformed and equitable society. But the motive-power behind Socialism in practice is apt to be mere greed for worldly ease and comforts expressing itself through the media of class consciousness and class hatred. We in England have always been remarkably free from the class-spirit in this form. It has flared for a moment through our tranquil history—at the time of the Reform Bill, for instance, and again during the Chartist struggle—but it has never been, nor is it now, an accepted condition of our social structure. There is, indeed, no European country in which the rungs on the social ladder are so near together or so easily ascended. There are no rigid barriers anywhere, no insurmountable obstacles; the gradients are easy, the approaches open, and the lines between class and class have lost all precision and are wavering and faint almost to the point of obliteration. Class has never been pitted against class in these islands on a scale in any sense comparable to the internecine struggles of the Continent. We have never had our French Revolution. The very alphabet of the class warfare is a foreign tongue to us. Aristocracy, the middle class, the working class, are phrases that suggest less than nothing of hatred or opposition. The "bourgeoisie" as the French use the word has no meaning for us, and no equivalent either in our language or our conditions. Neither has the "proletariat." Nothing could better illustrate the absence of class consciousness among us than that we are obliged to have recourse to some such clumsy expedients as "rich" and "poor" to express our social divisions.

Thus the state of mind in which the propaganda of Socialism finds its readiest response is in England all but non-existent. History has not left it to us as a legacy, and I doubt whether it will be easy to manufacture it by agitation. Compared with most nations, we are miraculously free from provocations to social strife. We have no military caste lording it over the un-uni-

formed masses and expressing in tone and bearing and conduct its privileged contempt for all civilians. We have no conscription either to discipline or to sour the spirit of our youth. We have no Protection to set town against country and the favored few against the unorganized many. Some strongholds of political privilege still remain to be captured, but their existence and their activities supply none of the fuel for a class conflagration. I am very far from thinking England an ideal country, but I do not know any land where property has been less arrogant and more mindful of its duties, where the sense of social or economic injustice is so weak and restricted, where the various elements in the national structure are more conscious of their interdependence and more animated by a mutual helpfulness, where the abuses of capital have been more wisely restrained by legislation, where political grievances and exasperations are so few and trivial, and where the work of social reform has on the whole gone on so continuously. In Germany where the spirit and privileges of caste display themselves daily in the Administration, in the courts of law, in the army, in the political ascendency of a small stiff-necked clique, and, above all, in the attitude of the average employer towards his employees; in France where the national genius for humanitarianism delights to escape from realities into the clouds—no one seriously thinks that France, a land of peasant proprietors, will ever do anything more momentous than toy with the idea of collectivism; in the United States, where capital is vicious and unrestrained either by law or sentiment, where the black-list and government by injunction and Pinkertons flourish, where factory legislation is still in embryo, and where there is one law for the protection of life to a thousand for the protection of property—in these countries Socialists find a set of conditions far more favorable to their propaganda than any they can hope to discover in England.

Socialism, once more, makes most headway in countries where the political instinct is weakest. This may be, but I do not think it is, a coincidence. It is in any case a fact, and a fact which should comfort the alarmists in England. For in no country is the political instinct more highly developed and nowhere has experience in the workings of Parliamentary institutions been so prolonged and intimate. Continental analogies seem to me in this respect almost wholly misleading. Because Socialism has very

largely killed the Liberal movement in Germany and Italy, and to some extent in France, it by no means follows that it is going to be equally successful in England. British Liberalism is immeasurably better equipped for self-protection than were ever the timid doctrinaires who assumed its insignia on the Continent. It has a great tradition as one of the governing forces of the country. It has the prestige of problems faced and solved, of high responsibilities splendidly borne, of far-reaching reforms actually accomplished. Moreover, it is still a vital and cohesive body with an established organization behind it, an immense following among all classes of society, and a reasoned confidence that its mandate, so far from being exhausted, has just taken on a new and lengthy lease of life and power. It has never fallen into the hands of amateurs or rhetoricians; it has never got seriously out of touch with national sentiment; its work has been pre-eminently practical and positive; and it has been quick to respond to changing needs and to adjust itself without dislocation to new conditions. That a force so powerful, pliable, sensitive and sensible offers an obstacle to political Socialism such as it has encountered nowhere else must, I think, be very obvious.

But there is another and more immediate barrier in its path. On the Continent Socialism preceded Trade Unionism; in England it has tardily followed it. That is a most vital distinction. In France, for instance, it is the Socialist Party in the Chamber which has the traditions, the organized system and the balance, while the Trade Unions do what they can—it is not very much—to egg it into unpalatable extremes. In England the situation is precisely reversed, the Trade Unions being old, responsible and cautious organizations, while the Socialists by comparison have neither means nor numbers. Trade Unionism in England is essentially a restraining and conservative force directed towards tangible ends. The Socialists, it is true, have succeeded for the time being in capturing it. Although a small minority, they have contrived through their activity, through the political apathy of most Trade Unionists and their absorption in the industrial and provident sides of their organizations, in grafting themselves upon Trade Unionism to an extent that goes far beyond the wishes or intentions of the working classes. This I am convinced will become clearer as time goes on and the inevitable breach widens.

Nobody seriously doubts that, if the Trade Unionists were fairly polled on the direct issue, there would be an overwhelming majority not only against Socialism, but against any political alliance that enabled the Socialists to use the funds and prestige and organization of the Trade Unions for their propaganda. No one, again, seriously doubts that the working classes as a whole, with their enormous wealth invested in co-operative, friendly, building, provident and other societies, are dead against "the Socialization of the means of production, distribution and exchange."

It passes my comprehension how people who observe the difficulty of reform in England can assume the facility of revolution. They have only to look about them to realize the enormous resources which every vested interest can draw upon when it has to meet attack. Landlords, lawyers and the brewers represent less than a tithe of the resisting power which is at the disposal of property in these islands; yet every one knows what power they possess. The work of reform in England is always arduous and protracted, but never impossible. No interest, however wealthy or however well organized, can permanently withstand the public interest. The whole bent of our political institutions and of our national temperament is to make progress slow, gradual and intermittent, but absolutely sure. The result is a paradox thoroughly characteristic of England. Just as she built up an unexampled Empire without once mentioning the word "World-Politics," so, without a single Socialist in Parliament, with next to no talk of the logic and theory of the ideal State, with little examination of first principles or the ultimate drift of things, she has done more to further social reforms, to protect the interests of Labor, and to make the collective and individual freedom of her people a reality, than any country on earth. There is scarcely a practical project on the programme of Continental Socialism that is not already a commonplace and established fact in England. "After all," writes John Morley in his latest volume of "Miscellanies," "the more or less of State action is only one point in the contest. So far as that goes, what is curious is that England, where Socialism has as a body of doctrine been least in fashion, has in action carried Socialism in its protective and restrictive aspect further than most other countries . . . our progressive income-tax and death-duties with

their sliding scales—the State arbitrarily equalizing private fortunes by inequalities of public charge—involve an invasion of the rights of individual property, and therefore of individual liberty, that is up to now rejected both in the French Republic and in the American Republic, and that certainly would have made the men of 1789 and 1793 'stare and gasp.'" M. Jaurès and Herr Bebel, if they looked into our Factory Laws, the privileges of our Trade Unions, our Employers' Liability Acts, our co-operators, the activities of our municipalities, and our wage clauses in public contracts, would be inclined, I suspect, to pronounce us Socialists without knowing it.

Nothing, finally, can be more obvious than that Socialism, which everywhere begins as a movement of revolution, everywhere ends as nothing more than a movement of advanced reform. There is not to-day a single country in which the Socialists are able to advocate the collective ownership of land with any hope of winning over the peasant proprietors; and it has been proved time and again that as a political force they are powerless when confronted by the old, elementary factors of race, religion or patriotism. This process of change to which Socialism like any other creed is subject can best, perhaps, be traced in Germany. There the Socialists have thrown overboard pretty nearly all the leading principles with which they started their political life. They are completely submitted to the Parliamentary system. They have tacitly abandoned the idea of an armed revolution by the masses or any other ushering in of the new era by a single cataclysmic stroke. They acknowledge in practice, if not in theory, the virtue of the gradual approach. They have ceased to war on religion. The Klassenkampf in its original form is no longer a weapon in their armory. They co-operate where formerly they banned. They seek to trim and train rather than to uproot. One by one, in fact, the abstractions of the Marxian faith have yielded to the dissolvent of tactical necessities and a wider and more exact knowledge. Ten years hence it is doubtful whether it will be possible to find in the German Reichstag a single Social Democrat who believes, as Marx believed, that the growth of capitalism implies the progressive pauperization of the masses, and that the "big farm" is bound to swallow up the little one. They have had to compromise and make terms with things as they are. Even the theory

of cosmopolitanism, which was inseparable from the original Socialist movement, has been given up. There is to-day an awakening consciousness that the future of Socialism depends on its acceptance of the idea and the responsibilities of nationality. What, in short, one observes in Germany, and indeed all over the Continent, is that the Socialists of to-day, instead of preaching upheaval and dispossession by force, are steadily concentrating upon the immediate work of material and moral betterment. In their heart of hearts they have accepted the proposition that a capitalist society will indefinitely continue, and have framed their programmes accordingly. Even, therefore, in countries where it finds a congenial soil for its propaganda, modern Socialism is far more Radical than revolutionary. And that the soil of England is not congenial, that England on the contrary is amply and uniquely barricaded against the onset of Socialism in any of its confiscatory guises, I have already suggested and tried to demonstrate.

BRITANNICUS.

THE INTERNAL AND EXTERNAL POWERS OF THE NATIONAL GOVERNMENT.

BY GEORGE SUTHERLAND, U. S. SENATOR, MEMBER OF THE SENATE JUDICIARY.

FROM the formation of the Union to the present day differences of opinion, more or less serious, and more or less acrimonious, have existed concerning the character and authority of the government of the United States, and although a century and a quarter has elapsed since the adoption of the Constitution, and hundreds of decisions have been rendered, and hundreds of books and articles have been written in the effort to elucidate the matter, we are still far from any common agreement respecting many important phases of the subject. That this government is one of *limited* powers, and that absolute power resides nowhere except in the people, no one whose judgment is of any value has ever seriously denied, but as to the nature and extent of the limitation there has always prevailed and there still prevails much diversity of opinion. At one extreme of the controversy have been those who asserted that the government possessed only such powers as were *expressly* conferred by the Constitution strictly construed, and at the other, those who have insisted that the "general welfare" clause, instead of being a limitation upon the taxing power—which it plainly is—constitutes a substantive grant of practically unlimited power. Between those who, upon the one extreme, would put the government of the United States in a constitutional strait-jacket, and those who, on the other hand, would turn it adrift upon a boundless sea of unrestricted power, all varieties and shades of opinion are to be found.

I.

Much of the confusion has resulted from a failure to distinguish

between our *internal* and our *external* relations—a failure to recognize the difference which, from the structure and character of the American dual political system, must of necessity exist between the Federal powers of the general government, which are exerted in its dealings with the several states and their people, and the national powers which are exerted in its dealings with the outside world. Among ourselves we are many governments and many peoples—to others we are one government and one people. "Toward foreign powers the country has no seam in its garment; it exists in absolute unity as a Nation, and with full and undisputed national resources" (Bancroft—"History of the Constitution").

This difference is apparent not only with reference to the powers which apply exclusively to our foreign relations, but also to certain powers which may be brought into operation both externally and internally. For example, the Constitution confers upon Congress the authority "to regulate commerce with foreign nations, and among the several states," etc. The same *language,* therefore, confers the power to regulate commerce with foreign nations and among the several states, but the *objects* upon which the language operates are different; hence, while the power in the two cases is identical in *terms,* it may be quite different in *scope* and *degree.* The general government in dealing with foreign nations, in its national capacity may entirely prohibit the importation of all commodities, but in dealing with the several states in its Federal capacity it can exercise no such degree of power over transportation from one state to another. This distinction is overlooked or ignored by those advocates of the child labor law (which seeks to deny transportation to goods manufactured in whole or in part by child labor) when they assert that because Congress has prohibited the importation of convict-made goods from foreign countries, it may likewise prohibit the transportation of goods among the several states whenever it disapproves of the way in which such goods originate.

By the Tenth Amendment to the Constitution all powers not delegated to the United States nor prohibited to the States are reserved to the several States or to the people. But the operations of the State governments are confined to their own boundaries, hence, so far as they are concerned, this reservation can have no reference to any power to be exercised externally. The

result is that as to all domestic matters, certain specified powers are vested in the general government and all others in the various State governments, unless prohibited, in which case they are reserved to the people; while as to foreign matters (with which the States are not competent to deal) all powers must be vested in the general government or reserved to the people. There is, therefore, a very radical difference, in the consequential effect, between withholding from the general government a particular power to deal with internal matters, and withholding authority in a given case over external affairs. In the former, the result of denying a particular power to the general government is not to wholly inhibit its exercise, but, unless affirmatively forbidden, to permit it to be exercised by the States severally. Hence, as the powers of the general government are diminished those of the several State governments are extended. Such powers are not lost, they are only distributed. But the consequence of denying to the general government any specified power over *external* affairs is to preclude its exercise by governmental agency altogether. However beneficial, however necessary, however imperative for the common defence or the general welfare the exercise of such a power may be, *if the general government is prevented from acting, no action can be taken at all.*

It is clear from a consideration of the events leading up to and surrounding the adoption of the Constitution that the primary purpose of the specific enumeration of the powers of the general government over internal matters was to preclude any encroachment of that government upon those powers which it was deemed the State governments should exclusively possess. It was recognized that every power exercised by the general government—which the States were severally competent to exercise—reduced the aggregate of the normal State powers. The effect of the enumeration is, therefore, quite as much to *affirm* the possession of these unenumerated powers to the several States, as it is to *deny* them to the general government. Over its internal affairs the State government possesses every power not delegated to the general government, or prohibited by the Constitution of the United States or the State Constitution. It will, therefore, be seen that, in this way, every power which any government in the world possesses over *its internal* affairs, is vested either in the *United* States or in the *several* States, unless affirmatively pro-

hibited. Thus every necessary governmental power of this class may be exercised by one agency or the other, and none is lost or held in abeyance by the mere failure, either by oversight or lack of foresight, to grant it affirmatively. Is it not reasonable to conclude that it was likewise within the contemplation of the framers of the Constitution that every necessary and proper power possessed by foreign governments over their *external* affairs should be exercised by the Government of the United States over our external affairs? The fear which was voiced by those who were anxious to limit the powers of the general government was based on their anxiety to preserve the powers of the several States. They were anxious to keep for the people of each State in the fullest measure their right of local self-government, but there was not shown anywhere a disposition to curtail the power of the National government in its external relations. On the contrary, there was clearly manifested a desire to make such power, in the words of the Annapolis recommendation, "adequate to the exigencies of the Union." The Declaration of Independence asserted it when that great instrument declared that the *United* Colonies as free and independent States (that is, as *United* States, not as *separate* States) "have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and *to do all other Acts and Things which Independent States may of right do.*"

And so national sovereignity inhered in the United States from the beginning. Neither the Colonies nor the States which succeeded them ever separately exercised authority over foreign affairs. Prior to the Revolution the Colonies were independent of each other, but all owed common allegiance to the Crown of Great Britain. They were invested with and exercised in subordination to the Crown certain governmental functions of a purely local and internal character, but so far as foreign relations were concerned the Imperial Government exercised plenary authority. When they severed their connection with Great Britain they did not do so as *separate* Colonies, but as the *United* States of America, and they declared not the *several* Colonies, but the *United* Colonies to be free and independent States—not New York, or Georgia, or South Carolina severally—but all the Colonies in their *united and collective capacity.* This declaration was an assertion of, and constituted the first step toward, nationality. Unitedly they fought the War of the Revolution, and

when success made their declaration an accomplished fact they became in the family of nations not *thirteen* independent sovereignties, but *one sovereign Nation* under the name of the United States of America; and it was this Nation, not the States severally, which was recognized by the governments of the world, and it was to this Nation that all the powers of external sovereignity passed from the Kingdom of Great Britain. These powers were never delegated by the States; they were never possessed by the States, and the States could not delegate something which they did not have. During the period of the Confederation this cardinal fact was to a certain extent obscured, but deductions drawn from the history of that period are of doubtful utility. It was a time of confusion and uncertainty, when the Nation was partially submerged in the dim struggle of the people toward a realization of their own political status. This realization came with the Constitution. But even under the Confederation there were great men, who, seeing through and beyond the mists of local feeling and State prejudice proclaimed the sovereignity of the Nation. Among them was James Wilson, a signer of the Declaration of Independence, one of the framers of the Constitution, a Justice of the Supreme Court of the United States, and who, speaking of the power of Congress under the Articles of the Confederation to incorporate the Bank of North America, said:

"The United States have general rights, general powers, and general obligations, not derived from any particular states, nor from all the particular states, taken separately; but resulting from the union of the whole. . . ."

"To many purposes, the United States are to be considered as one undivided, independent nation; and as possessed of all the rights, and powers, and properties, by the law of nations incident to such."

"Whenever an object occurs, to the direction of which no particular state is competent, the management of it must, of necessity, belong to the United States in Congress assembled. There are many objects of this extended nature. . . ."

"The act of independence was made before the articles of confederation. This act declares that 'these *United Colonies*' (not enumerating them separately) 'are free and independent states; and that, as free and independent states *they* have full power to

do *all* acts and things which independent states may, of right, do.'"

"The confederation was not intended to weaken or abridge the powers and rights to which the United States were previously entitled. It was not intended to transfer any of those powers or rights to the particular states, or any of them. If, therefore, the power now in question was vested in the United States before the confederation, it continues vested in them still. The confederation clothed the United States with many, though, perhaps, not with sufficient powers; but of none did it disrobe them."

In recognition of the fact that territory belonging to certain of the Colonies had been wrested from Great Britain by the combined efforts of all, this territory was ceded to the United States. This, except as to North Carolina and Georgia, was under the Articles of Confederation and before the Constitution. The Articles of Confederation nowhere recognize the right of the United States to either acquire or govern territory, yet the United States acquired and governed this territory. It could only have been upon the theory that such power resulted from the very fact of nationality.

That all necessary power over external affairs should be vested in the National Government was clearly within the contemplation of the framers of the Constitution. The first paragraph of Mr. Randolph's proposed plan was to the effect that the Articles of Confederation ought to be enlarged so as to accomplish the objects of their institution, namely: "the common defence, security of liberty, and general welfare," and the sixth paragraph declared that the National Legislature "ought to be empowered to enjoy the legislative rights vested in Congress by the Confederation, and, moreover, to legislate in *all* cases to which the *separate* States are *incompetent,* or in which the harmony of the United States will be interrupted by the exercise of individual legislation" (Madison Papers, 5 Elliott's Debates, p. 127). After some discussion this latter paragraph was adopted,* and in this form it was reported to the Convention from the Committee of the Whole.† In the Convention Mr. Sherman proposed to amend it by substituting the words "to make laws binding on the people of the United States in all

* *Ibid.* 139.

†† *Ibid.* 190.

cases which may concern the common interests of the Union; but not to interfere with the government of the individual states in matters of internal police which respect the government of such States only, and wherein the general welfare of the United States is not concerned." But this was rejected. Finally, on motion of Mr. Bedford, it was amended so as to read, "and moreover to legislate in all cases for the general interests of the Union, and also in those to which the states are severally incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual legislation," and in this form it was referred to the Committee of Detail (the word "separately" being substituted for the word "severally") as one of the resolutions *to govern them in the preparation of the Constitution* to be finally submitted to the Convention. It will be seen, therefore, that it was the unanimous opinion of the framers' convention that power should be conferred by the Constitution upon Congress to legislate in *all cases to which the States were severally incompetent.* It does not appear that the members of this convention at any time changed their opinions, and it, therefore, must be assumed that in the judgment of these men who framed the Constitution such power was conferred by that instrument. The declared purpose of the Constitution as stated in the Preamble is "to form a more perfect Union, establish Justice, insure domestic Tranquillity, *provide for the common defence, promote the general welfare,* and secure the Blessings of Liberty to ourselves and our posterity." While it is true that the Preamble cannot be construed as a substantive grant of power, it is valuable as reflecting light upon the powers granted, and the meaning and intent of those who framed and adopted the Constitution. In other words, the Preamble states the ultimate objects to be attained by the establishment of the Constitution, and, among them, to "provide for the common defence and promote the general welfare." These are the *ends* to be attained, the powers conferred upon the government are the *means;* but always the end is more important than the means. With regard to *domestic* matters, if the power is denied to the National Government, the *end* can generally still be attained through the State governments, but with regard to *external* matters, the *end* is wholly denied when the power of realizing it is withheld from the National government. The

powers of government must be commensurate with the *objects* of government, else only a semi-government has been created. It is clear that the powers of government over all internal matters under the Constitution, which in effect distributes these powers between the Nation and the States, are completely commensurate. Did the founders intend that governmental power over *internal* affairs should be *adequate* and over *external* affairs *inadequate?* Did the framers of the Constitution intend that *complete* governmental authority should exist somewhere for the "common defence" and "general welfare" of the people in their internal relations, but that *complete* governmental power should exist *nowhere* if the menace to these ultimate objects of the Constitution was from external sources? Is it conceivable that a government should be established for the purpose of attaining certain great ends and that any necessary and proper means for realizing them should be withheld? To say that the power is not destroyed but is reserved to the people does not meet the difficulty. Such a reserved power is in effect no power. The people *en masse* cannot make laws—they cannot interpet laws—they cannot execute laws. This is a *representative* government. The people can act only through the Government. A power reserved to the people is not come-at-able; it cannot be translated into action. A power denied to the government is, therefore, a power which is practically non-existent, and must remain non-existent until granted to the government by the tedious and well-nigh impossible process of a constitutional amendment. Such a situation is a good deal like commanding a fire department to put out a conflagration, but forbidding the use of the fire-engine until the populace can be gathered into the town hall and a resolution passed after full debate. The people do not and cannot govern immediately by their own direct action. They can only govern mediately through the representatives whom they designate for the purpose. "The whole people cannot operate the Government any more than the whole of twenty people in an omnibus can drive the horses. Some one must drive, as some one must govern." The framers of the Constitution understood this, and undertook to provide a thoroughgoing scheme of government in which should be vested every necessary and proper power to accomplish the great ends which they declared was their purpose. The Constitution must be construed, if possible, so

that their expression shall not fall short of their meaning. As to internal matters this is accomplished through the combined powers of the State and National governments. As to external matters, it must be realized, if at all, through the instrumentality of the National government alone. We must assume that no necessary or beneficial power was intentionally withheld in either case, but that the powers reserved to the people were only such as they were capable or desirous of themselves exercising or were unnecessary to the operations of government, or such that their exercise would be of no benefit to the people. The Constitution was made not only for those who adopted it, but for us who live under it, and those who will live under it, please God, for all time to come; not only for the comparatively small affairs of that day, but for the vast affairs of this day, and for the vaster affairs of a future whose greatness and complexity no man can foresee. Like the living garment which clothes the living body, it must continue to clothe the Nation whose living garment it is, or the Nation must become naked and defenceless at some vulnerable point.

The men who made it were deeply versed in the science of government. They distributed *all* necessary authority over domestic affairs, as already pointed out, either to the Nation by enumeration or to the States by non-enumeration. They did not intend to provide less completely for external affairs. They established not only Federal authority, but National authority. They were familiar with the great principles which governed the various nations as political entities, and knew that in the eye of international law every sovereign nation was *ipso facto* equal to every other sovereign nation, and that the highest law of every nation was that of self-preservation. Vattel had written in 1758, and this they read: "Whatever is lawful for one nation is equally lawful for another; and whatever is unjustifiable in the one is equally so in the other." With this knowledge they introduced the United States of America into the family of nations, to be governed by the law of nations. Thus one of the consequences which followed from the fact of nationality was that of national equality, and one of the rights which followed was that of self-preservation, and they could not have intended, with this understanding, to have conferred upon the government less power than was necessary to render this equality and this right of self-pres-

ervation effectual. The government they instituted and contemplated was that of a fully sovereign nation, possessing and capable of exercising in the *family* of nations every sovereign power which any sovereign government possessed or was capable of exercising under the *law* of nations; unless prohibited or contrary to the fundamental principles upon which the Constitution itself was established. And why should it be otherwise? Why should any citizen of the great Republic, proud of its strength and glory, desire that *his* government should be inferior in power to any government or less potential in ability to act for the benefit of the people or in the upbuilding of their country and institutions? Such governmental authority is less to be feared under our institutions than under those of the great monarchies across the sea, because there the government dictates and the people obey, but here the people command and the government obeys, and in the last analysis it is the people who exercise the power through the government which is the servant and agent of the people. It is time we realized, not in phrases alone, but in fact, that the Government of the United States is perfect in all its limbs, and not a cripple among the full-grown governments of the world.

The construction of the Constitution has undergone a process of progressive evolution. The earlier decisions of the Supreme Court, notably those written by Chief Justice Marshall, laid down the doctrine of the implied powers, and it was held that Congress possessed not only those powers which were expressly conferred, but implied power to pass all legislation necessary to carry them into effect. But from time to time Congress passed laws not referable to or capable of being implied from any one particular express power, and the legislation was upheld if the authority could be deduced from a number of express powers grouped together, or from the sum total of all of them combined. But Congress has from time to time gone beyond even this and passed laws that by no reasoning can be justified under any or all of the express powers, or by virtue of any implication to be drawn therefrom. Some of these acts have been passed upon by the Supreme Court, while others have never been considered by that tribunal. Members of the Court have from time to time broadly announced the doctrine that the general government is one of enumerated powers, and can exercise no authority

not expressed or implied in the written words of the Constitution, yet some of the decisions can be logically justified only upon the theory that the government possesses certain powers which result from the fact that it is a *National* government and the only government capable of exercising the powers in question. The doctrine is foreshadowed if not stated by Hamilton, when he says: "There are express and implied powers, and the latter are as effectually delegated as the former. There is also another class of powers which may be called *resulting* powers—resulting from the whole mass of the power of government and from the *nature of political society,* rather than as a consequence of any especially enumerated power." There is, for example, no express language in the Constitution conferring upon the Government of the United States the power to acquire additional territory. The question first arose in connection with the Louisiana purchase. Mr Jefferson thought the acquisition unconstitutional. Albert Gallatin, then Secretary of the Treasury, and a statesman and lawyer of great ability, gave it as his opinion that the acquisition was valid, either as an *inherent right* of the United States *as a Nation* to acquire territory, or as a constitutional right under the treaty-making power. It seems to have finally been determined that this acquisition, as well as some others, was justified under the treaty-making power. The United States has acquired other territory as the result of a successful war, and these acquisitions have been justified under the war power of the Constitution. For many years the Supreme Court of the United States contented itself with deciding that the United States might acquire additional territory under one or the other of these powers; but we have acquired additional territory by discovery and occupation. The greater part of Oregon came to us in this way. Some years ago Congress passed an act providing in substance for the acquisition of certain islands valuable for their deposits of guano by virtue of discovery by our citizens and the proclamation of the President. Upon one of these islands some years ago a homicide was committed, and the perpetrators were brought to the United States charged with the offence of murder (Jones *vs.* United States, 137, U. S., 202). The Supreme Court of the United States unanimously held that the Act of Congress was valid, saying:

"By the law of nations, recognized by all civilized States, do-

minion of new territory may be acquired by discovery and occupation, as well as by cession or conquest; and when citizens or subjects of one nation, in its name, and by its authority or with its assent, take and hold actual, continuous and useful possession (although only for the purpose of carrying on a particular business, such as catching and curing fish, or working mines) of territory unoccupied by any other government or its citizens, the nation to which they belong may exercise such jurisdiction and for such period as it sees fit over territory so acquired. This principle affords ample warrant for the legislation of Congress concerning guano islands."

Then follows a list of references to various authorities on international law, no reference whatever being made to any provision of the Constitution or to any constitutional authority. Here then is at least one case where the Supreme Court has sustained Congress in exercising a power not expressly granted by the Constitution, nor capable of being inferred from any one of the express powers, nor from any group of them, nor from all combined. Manifestly the Act of Congress was a naked usurpation unless it could be justified upon the ground that the government of the United States possesses certain sovereign powers resulting from the *National* status. In other words, the act was *extra*-constitutional. Was it on that account necessarily *un*-constitutional? The Court said not. The law was upheld, as the above quotation from the opinion delivered by Mr. Justice Gray shows, not upon the ground that it was warranted by any *constitutional* provision or implication, but solely upon the ground that it was a power recognized by the principles of *international* law as belonging inherently to every sovereign nation. From this opinion no Justice of the Supreme Court dissented, and no member of that Court has ever dissented, though in subsequent cases some of the Justices have apparently repudiated the doctrine it establishes, and have vigorously denied the possession by the general government of any inherent power, although the assumption of such power constitutes the sole and ultimate justification for the opinion. At the same time, the Court has repeatedly affirmed the authority of the government to acquire additional territory by discovery and occupation, saying that the power was established by the prior decisions of the Court, and that any discussion of its source was unnecessary. Those who

deny any inherent sovereign power to the general government are, therefore, confronted with this alternative: Either they must deny the correctness of the unanimous decision of the Supreme Court, repeatedly announced—they must deny the power of the government to acquire additional territory by discovery and occupation alone—they must declare that Oregon and all the guano islands are held without right or title, or they must concede an exception to the rule for which they contend; and this exception is not one which proves the rule, but one which destroys it, inasmuch as the rule which they assert is that the general government possesses *no* inherent power whatsoever.

To undertake a comprehensive review of the decisions of the Supreme Court bearing upon the question is impossible within the reasonable limits of a magazine article, and a brief reference to one or two must suffice. The Alien Law (which provoked the so-called Virginia and Kentucky resolutions) was never considered by the Supreme Court, though it was upheld in principle by the decisions sustaining the Chinese exclusion and expulsion acts as being within the "essentisal attributes of sovereignty." The earlier cases upheld the right of *exclusion* under the "accepted maxim of international law, that every sovereign nation has the power, as inherent in sovereignty, and essential to self-preservation, to forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe" (142 U. S. 651, 659).

The later cases affirm the right of *expulsion* as well as *exclusion* upon the same high authority—"the right to exclude or expel all aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace, being an *inherent* and *inalienable* right of every sovereign and independent nation, essential to its safety, its independence, and its welfare" (149 U. S., 698).

Mr. Justice Miller, in United States *vs.* Kagama, 118 U. S. 375, speaking of the power of Congress to govern the Territories, said that it arose not so much from the clause authorizing Congress to dispose of and make rules and regulations for the territory and other property of the United States, as "from the ownership of the country in which the Territories are, and the right of exclusive sovereignty which must exist in the National government, and can be found nowhere else."

In the Legal Tender cases, 12 Wall., 457, Mr. Justice Strong

said that the adoption of the first ten amendments shows that in the judgment of those who adopted the Constitution there were powers created by it neither expressly specified nor reducible from any one specified power, "but which grew out of the aggregate of powers conferred upon the government *or out of the sovereignty instituted.*" And Mr. Justice Bradley, in the same case, after characterizing the United States as a national government and the only government in this country having the character of nationality, said: "Such being the character of the general government, it seems to be a self-evident proposition that it is invested with all those inherent and implied powers which, at the time of adopting the Constitution, were generally considered to belong to every government as such, and as being essential to the exercise of its functions."

Judge Campbell, for many years a member of the Supreme Court of Michigan, whose historical and legal learning has been seldom excelled in this country, in the case of Van Husen *vs.* Kanouse, 13 Mich., 313, uses the following language: "Under the Constitution of the United States all possible powers must be found in the Union or the States, or else they remain among those reserved rights which the people have retained *as not essential to be vested in any government.* That which is forbidden to the States is not necessarily in the Union, because it may be among the reserved powers. *But if that which is essential to government is prohibited to one it must of necessity be found in the other, and the prohibition in such case on the one side is equivalent to a grant on the other.*"

II.

While maintaining the power of the general government to adequately meet and deal with every *external* situation which affects the general welfare of the *United* States, it is no less essential to maintain the supreme power of the State governments to deal with every question which affects only the *domestic* welfare of the *several* States. As happily expressed by Chief Justice Marshall in Gibbons *vs.* Ogden, 9 Wheat., 195: "The genius and character of the whole government seem to be, that its action is to be applied to all the external concerns of the nation, and to those internal concerns which affect the States generally; but not to those which are completely within a particular State, which

do not affect other States, and with which it is not necessary to interfere, for the purpose of executing some of the general powers of the government." There is a growing tendency on the part of many of our people to insist that because an evil has become great or wide-spread, and the several States do not deal with it as it should be dealt with—either from lack of desire or lack of ability—the general government as a sort of overlord, should assume the responsibility of correcting it. Reduced to the last analysis, this is the argument of the advocates of the Federal child-labor law. That the employment of immature children is a monstrous evil no properly constituted mind can for a moment doubt, but, when existing in a State, it is an evil the supervision, regulation or suppression of which belongs wholly and exclusively to the State, and not to the general government. It is purely a domestic matter. The general government has been given no authority to legislate respecting the domestic evils which exist within the limits of a State simply because they are monstrous evils, any more than if they existed in France or England. To do so would constitute a clear invasion of the reserved powers of the States, and in its ultimate effect would prove more harmful than the failure of the State to cure its own evils. Once break over the line which separates the State and Federal powers, because the exigency is great, or thought to be great, and the way has been opened for the gradual and insidious, though certain, breaking down of the barrier of separation altogether. If we begin to legislate in such matters upon the ground of exigency we shall end by legislating upon the ground of expediency. If we enter the domain of State control to abolish evils because the States do not act at all we shall remain to regulate and correct because the States do not act as we think they should. Of course no one who has considered the matter insists that Congress has authority to legislate directly to forbid the employment of child labor in the domestic industries of a State, but it is sought to do so indirectly by declaring that any article manufactured in whole or in part by child labor shall be denied the right of interstate transportation. In other words, if a manufacturer of woollen goods in Massachusetts employs a thousand operatives, one of whom is a child of tender years, the employment of that one child (whether sanctioned by the law of the State or not) taints the entire output of the factory, and none of it can be

transported into another State. The authority for such legislation is supposed to be found in the commerce clause of the Constitution giving Congress power to regulate commerce among the several States. No power is given Congress to regulate the relation of master and servant, or to say who shall or who shall not be employed, to prescribe the hours of labor, or to regulate in any way the manufacture of commodities within the limits of a State. The power is to regulate *commerce,* and if under this power, which seems precise and clear, Congress may control the employment of child labor in a State, there would seem to be no phase of the business of domestic manufacture which it could not in the same way control. It could with equal authority forbid the interstate shipment of goods where the manufacturer employs his servants more than eight hours; where he employs non-union labor or where he does not employ non-union labor; where he employs any Chinese labor or where he declines to employ such labor; or indeed, where he does anything which Congress does not approve or fails to do anything which Congress does approve. Thus a power to regulate *interstate commerce* would be transformed into a power to regulate *domestic manufacture;* and a power to *regulate* commerce into a power to *prohibit* commerce altogether.

It is far better to leave to the people of each State their constitutional right and their constitutional *duty* to deal with their own problems in their own way. To the extent that the general government would assume the responsibility of correcting the evils in a State, the State government would quite likely shirk its own responsibility. With the gradual abridgment of local action would come the gradual loss of local ability. The people of the State would lean more and more upon the National government which is remote from the *locus* of the evil, instead of relying upon themselves who are in close touch with it. Their power would become atrophied from disuse as the muscles of the body become atrophied from lack of exercise. Such a process would inevitably, to a great extent, sap the feeling of local responsibility, and in time the nation itself would become unable to bear up under the multiplicity of duties which it would be compelled to assume. The States are *politically* as well as *geographically* parts of one great governmental organism. To destroy or reduce the vitality of one of these parts would in the end

reduce the strength of the whole, as the vigor of the human body is lessened by the loss or weakening of one of its limbs. By leaving local evils to the State and National evils to the Nation we shall preserve the harmonious balance contemplated by the Constitution, and in the end solve the problems of society much more effectually than we can ever do by devolving upon one the responsibilities clearly intended for the other.

III.

To epitomize and conclude: The American people, in whom all sovereign authority ultimately resides, have provided as the instrument for the practical expression of this authority a complete governmental system, consisting of the General government and the State governments, and in this system have vested every power necessary to accomplish the constitutionally declared ends of government. Because of the dual character of the agency which exercises the *domestic* sovereignty of the people the line between the State and Federal powers has been carefully drawn and must be rigidly observed, but either upon one side of the line or the other plenary governmental power adequate to every exigency will be found. Over *external* matters, however, no residuary powers do or can exist in the several States, and from the necessity of the case all necessary authority must be found in the National government, such authority being expressly conferred or implied from one or more of the express powers, or from all of them combined, or resulting from the very fact of nationality as inherently inseparable therefrom. Thus nothing is added to the general government at the expense of the State, while we are saved the humiliating paradox of an agency constituted to achieve certain complete ends, but vested with incomplete power to do so. If we are to preserve the great governmental system conceived by the Declaration of Independence and perfected by the Constitution, we must realize in feeling and in fact that the rights of the States and the rights of the Nation are not antagonistic, but complementary; and that the usurpation *by* the general government of any State power over local affairs, and the denial *to* the general government of any necessary power over national affairs are equally unfortunate and equally subversive of the spirit of the Constitution, which is the paramount law of State and Nation alike. GEORGE SUTHERLAND.

THE REPUBLIC AND DIPLOMACY IN FRANCE.

BY ALCIDE EBRAY, FORMERLY FRENCH CONSUL-GENERAL AT NEW YORK.

It is always a delicate matter to write in a foreign periodical on the politics of one's own country; for if you praise your readers are apt to set you down as a braggart or a chauvinist, while if you criticise you run the risk of shocking the susceptibilities of foreigners as well as those of your own countrymen. I admit that in the present instance I should experience some embarrassment if what I am going to say here were to appear anywhere else than in an American periodical. Quite a long experience as a writer on diplomatic questions, supplemented by a short service under the French Foreign Office, has led me to the conviction, especially since the French-German crisis of 1905-06, that the political institutions of France—that is to say, republican institutions as they are understood and practised in that country—lend themselves badly to the carrying on of the foreign policy of a great power. It will be readily understood, therefore, that it is easier for me to explain this to foreign republicans than to any other class of foreigners, and my position will be still better understood when I state—and here I solicit the indulgence of Americans—that a sojourn in the United States has largely contributed to the forming of this conviction concerning the republic and diplomacy in France. Having learned to know that Americans are sensible and not eager for vain flattery, I feel sure at the outset that I shall not displease them if I point out that their democracy is not exempt, as is sometimes supposed in France, from the imperfections which also mar French democracy. This, it seems to me, is especially the case in what concerns home politics, so that I think Gallia and Columbia, admitting sisterhood even in their shortcomings, might

say of one another, slightly modifying the verse of the Latin poet, *"Non ignara mali, miseræ miserere disco."*

I am also of the opinion that it will be to the benefit of both Gallia and Columbia to show themselves to one another just as they really are.

I shall now explain as succinctly and as clearly as possible what might be called "the incompatibilities" between the maintenance of the exterior situation of France considered as a great world power and the manner in which republican government is understood and practised by the French people.

Let me first speak of the religious policy of the French Republic, especially as regards its effects abroad. If I had not lived in the United States I might find some little embarrassment in doing this, for I should hold concerning the religious situation in America the erroneous idea often held in Europe—viz., that the United States is essentially, exclusively and jealously Protestant, carrying its attachment to the Reformation to such a point as to be intolerant towards all other sects. But I found a very different America from this, an America having a very strong Catholic minority and treating this minority with a large spirit of tolerance. In fact, I remarked that the anti-Catholic policy of France was not always approved on the other side of the Atlantic even by American Protestants, which is another reason why I can speak more freely thereon to my present readers.

There can no longer be any doubt to-day that there exists in France an irreparable rupture, a complete divorce, between the Republic and Catholicism. At the start this was not so sure, and it was permissible to ask if there was not simply a misunderstanding between Church and State. The Church had taken up a position in opposition to the Republic, but it had done so, it said, only in self-defence, holding that the past plainly showed that the Church could expect only enmity from the republican *régime,* while the Republic, on its side, seemed disposed even as early as 1870 to declare war on the Church, pretending also that it acted on the defensive. So when Leo XIII announced his policy of honestly accepting the republican idea in his relations with France, hoping thus to reconcile the Republic and the Church, he soon perceived that this was a vain dream and that there really existed in France an irreconcilable antinomy between the two powers. Then came the diplomatic rupture between the

Holy See and the Republic which consummated the official divorce; and from that moment the attitude of the Republic towards Rome has been an open desire to extinguish Catholicism in France in the interests of free thought and materialism, and not with any wish to advance another religious creed.

This last point should be borne in mind, for it is important. In Protestant circles in France and even among some Catholics separated from their Church, and also abroad in Protestant countries, especially in England and Switzerland, the idea prevailed for a time that the French crisis would have as a result the substituting of Protestantism for Catholicism. But almost everywhere this is now recognized as a mistake. In certain clear-sighted Protestant quarters it is even perceived that a free-thinking and totally materialistic France is a danger which a Catholic France did not present.

From an international point of view—the only one that interests us here—this unfortunate religious policy has had this consequence: France has lost in the Catholic world the influence and the prestige which she so long enjoyed there as being the first Catholic power, and has gained no compensating advantage, such, for example, as the sympathy of the Protestant countries. The position which France formerly held in the Catholic world has been assumed either by some other Catholic power like Italy or Austria or by powers which are mainly Protestant, such as Germany, England or even the United States, countries which have adopted in religious matters an eclectic, tolerant course.

As I am addressing myself to American readers I shall limit myself in this connection to certain facts, the full meaning of which they are in a position to grasp easily. Thus, just as it is plain that the religious policy of the French Republic has drawn Alsace-Lorraine nearer to Germany so it has had a tendency to reconcile more and more French Canada to English rule. In the United States it has had the effect of alienating from France all those Catholic elements dominated by Irish influences which were formerly friendly but are now hostile to France. In Latin America, France has also lost ground in so far as that part of the world is still attached to Catholicism. It is not necessary for me to point out who has gained in those parts by the diminishing of French prestige. Americans are too observant and too well placed not to see it for themselves.

One of the natural results of this French hostility towards Catholicism is the placing of the nation in an unfriendly attitude towards Latinism, for the dominant French republicanism sees a firm link between Latinism and Romanism, so that in order to free itself completely from the latter it is beginning to show a tendency to proscribe the former. Up to the present France has always been the centre, the rallying-point of the Latin world; but now, just as she loses her Catholic primacy, so she finds slipping from her this Latin primacy, which is passing over to Italy, already possessed of strong historic reasons for playing this rôle.

It might be hoped that, under such circumstances, those who are spreading French thought would take especial care to maintain intact the prestige of French influence as against rival influences. But on account of a strange conception of liberty as they imagine it must necessarily spring from republican institutions, they often do just the contrary of what they should do. There is no objection in pointing out to foreigners this weakness, for though by so doing we may be putting a small number of Frenchmen in a bad light, we are serving France herself. It is only too true that many French writers defame France in foreign lands; and as one generally has no interest in defaming oneself, it is not astonishing that the outside world believes what these Frenchmen say. Unfortunately these shortcomings are not due to mere individual faults. If we leave out of the consideration mere speculators in pornographic literature who exist in all countries, we are nevertheless obliged to admit that many writers are sincere in their belief that there is a natural relation between the republican *régime* and a literature that produces a scandal abroad. For preceding *régimes* having often oppressed literature, the contrary *régime* should, logically, emancipate it to the point of unbounded license, even if the good name of France abroad should suffer in consequence.

To these causes of weakness in moral and intellectual France, which spring from the manner in which the republican form of government is practised there, should be added not less depressing ones of a political and administrative order, which we perceive by examining the manner in which is understood from the republican point of view the defence of the exterior interests of the country and how are set to work the measures destined for this defence.

The difficulties that have been encountered and, in fact, are still encountered in keeping French diplomacy in line with the real needs of the country show how impossible it is in France to conciliate a rational diplomacy with republican institutions. Public opinion, which, under this *régime,* is absolute mistress of home affairs, is also sufficiently powerful in foreign affairs to prevent anything being done of which it does not approve. This public opinion is all the more a determinative factor in French politics because the elements which direct it are kept in the background and are unstable. Then the French President presides but does not govern, which is just the contrary of what happens in the United States, so we cannot expect from that quarter any initiative or act that might give stability or continuity to our diplomacy. The ministers change frequently, and it is not necessary to go very far back in the history of French diplomacy to discover that its course may be totally modified by the politician whom a crisis in home politics places in the Palace on the Quai d'Orsay. With this instability prevailing at the top, it is but natural that public opinion, the logical master in a democracy, should practically become also the governing element even in our diplomacy. But unfortunately French public opinion is not, as a rule, very clear-sighted in diplomatic matters, so that we arrive at this inevitable conclusion—the political *régime* which adopts the republican system is, in so far as this happens, inept to safeguard the foreign interests of France.

I hasten to add that this diplomatic ineptitude of French public opinion is to be attributed to causes which, from a moral and philosophical point of view, one is tempted to congratulate the country on; the French people have never been selfish, though it is generally held that a nation has the right to be so and duty sometimes even demands that it be so. Frenchmen are too apt to sacrifice tangible and practical interests either to altruistic impulses or to political preferences which are really contrary to the true interests of our diplomacy. How often in the past has France sacrificed herself for the well-being of other nations, and to-day she is abandoning sound diplomatic principles in order to attain a political and religious ideal. This mental state of the French nation is the greatest obstacle in the way of the normal advance of our diplomacy. For instance, it is next to impossible to make the French public understand that we should

seek as allies and friends those who have interests in common with us, rather than those whose political institutions and moral and religious conditions win our admiration. The attitude of political parties and public opinion during recent years have clearly revealed this state of the French mind. It is perfectly evident, however, that for a long time still France should provide against the possible hostility of Germany. What has happened during the past few years must convince even the most optimistic-minded that this is a primordial necessity. We should, therefore, be not only the ally of Russia, but we should also keep up the friendliest relations possible with the Powers, which, under certain circumstances, might become the auxiliaries of Germany, England, Italy and Spain. Yet you will see political parties in France deliberately thwarting this vital diplomatic policy, first in one direction and then in another, and for reasons which have nothing to do with our foreign relations. This very Russian alliance, which is the keystone of our diplomacy, has not escaped the attacks of these persons. All "the advanced" circles of France are hostile to Russia and, consequently, to the Russian alliance, and this simply because they look upon Russia as "an autocratic" country. In 1901 the present Prime Minister of France, M. Briand, spoke in a public meeting against the Tsar's visit to Paris and declared that France "dishonored herself" by being the ally of Russia. During the Russo-Japanese war a most extraordinary state of mind was revealed in some quarters of France where one saw many Frenchmen, for reasons of "liberalism," praying for the defeat of Russia, which defeat brought us to the humiliation of Algeciras! These same "advanced" people do not like Spain because it is a "reactionary" country; they approve of a good understanding with England because this is a nation of a liberal type, and they are friendly with Italy because the Quirinal appears to them to be the foe of the Vatican. They are even dreaming of substituting for the Franco-Russian alliance a triple Anglo-Franco-Italian one. In the French conservative camp you find the same incoherence, but in the opposite direction; their hostility towards England, liberal and Protestant, almost causes them to turn towards Germany, while they hate Italy even more than they do England. Thus, outside of a very narrow circle of professional diplomats and thoughtful individuals nobody seems to be governed by the real interests of

France herself; whence the difficulty which these professionals and thoughtful persons find in accomplishing something useful in the midst of these incoherent surroundings, especially as no leader stands forth who can act as arbiter. For the moment this diplomatic anarchy seems to be giving place to a little more order. But this is probably only due to the scare produced by the recent threatening attitude of Germany; we shall doubtless fall back.

I come now to the principal reason why the republican *régime* in France is paralyzed when it has to do with the exterior interests of the country. It has come to be an axiom in the French political and Parliamentary world that a war, whether lucky or unlucky for France, would be almost sure to end the Republic. If France won the successful general would sacrifice the Republic to his personal ambition; if the opposite happened, then popular discontent would overturn the present constitution. Gambetta himself has said that the Third Republic's arch enemy is "a Continental armed conflict." My own opinion is that a victorious war would alone be dangerous to the existing *régime*. But I repeat that the prevailing opinion in France is to-day that a war, whatever should be its result, would be fatal to the Republic. It follows, therefore, as an inevitable consequence, that the present *régime* will so conduct itself not only as to prevent the advent of any international complication, even if it should have to yield when it really should stand firm; but should any such complication arise, in spite of the Government's conciliatory efforts, it will go farther and make all the concessions humanly possible and would have recourse to war only when placed in such a position that no other course were possible. Among the most pronounced republicans no one any longer questions the fact that this is the real explanation of the systematic effacement of France in international matters, of her complete abandonment, which is now certain, of the old longing to get Alsace-Lorraine back again, and of the numerous other examples of governmental weaknesses. It is even probable that the Casa Blanca incident in the autumn of 1908 would have been another backdown if the head of the Government at that moment, M. Clémenceau, were not a man of energy and combativeness, who both disliked yielding to Germany and who felt himself more capable than any other leader of protecting the Republic from any of the dangers which might arise from a war.

To these causes of feebleness, which reflection shows are inherent in the republican form of government as it is understood in France, are others which I wish I could feel were accidental but from which the *régime* does not seem to be able to free itself. I refer to the lack of military preparedness, which, notwithstanding the enormous money sacrifice which the nation makes, is revealed every time the army or navy is needed to meet any foreign difficulty. At the moment of the Fashoda affair we had to give way because the navy was not ready, and at the moment of the Morocco imbroglio it was the army which was lacking. These mishaps and causes for alarm have as a natural result the strengthening of the weak points, but only when it is too late to do any good; and then the administration of the War and Navy Departments soon falls back into the old errors. This was seen in the recent inquiry into the state of the navy ordered by Parliament, when it was discovered that the fleets of France are in as lamentable a state as they were at the time of the Fashoda rebuff and that in case of another sudden danger we would be in the same helpless condition as before. As the normal state of the Government is one of hesitancy lest the *régime* should be endangered, an only too ready ear is lent to the experts who announce that the army or navy, or it may be both, is not prepared to meet the impending attack. But why is it that they are never ready except when it is too late? Everybody is of the same mind as to the cause. It is administrative anarchy. The cabinet ministers, who change frequently and do not hold the same views as to military matters, are not the masters in their own departments, where heads of bureaus often thwart one another and the minister too, while the prevailing confusion is rendered still greater by Parliament taking a hand in the affair. So the nation, which is always so ready to foot the bill for military defence, finds when a cloud appears on the international horizon that it has simply been robbed.

Yet it would seem that in this matter of armament the present *régime* should aim, by means of an improved technical and administrative policy, to counterbalance the effects of another French national infirmity for which this same *régime* is perhaps partly responsible. I refer to the depopulation of the country, one of the misfortunes of France since it has attained to its present proportions and which all competent persons agree in attributing to

the weakening of our moral and religious ideas, rather than to a falling-off in material well-being. There can be no doubt that the separation of Church and State is partly responsible for depopulation in France. A Government commission appointed to study this question of depopulation suddenly closed its labors when it found that its report would turn to the discredit of the *régime*. From a military point of view depopulation has as its inevitable result a diminution of the number of soldiers, so that to the sixty-five millions of inhabitants whom Germany counts to-day France can oppose but forty millions. As everybody is now practically a soldier in the two countries, Germany can put in the field three men to every two from France. There is all the more reason, therefore, why these two soldiers should be better prepared and trained than the three rival soldiers. But the imperfections of our political *régime* reacting on our military administration makes this impossible.

To the numerical feebleness of the army must be added its moral feebleness due to the dissensions springing from politics. It will be remembered that when General André was Minister of War he made secret inquiries into the religious and political beliefs of the officers. This act, which was severely condemned at the time, was more a manifestation of the moral feebleness just mentioned than its cause. It could not have flourished if the soil had not already been prepared for it. However much the army may strive to hold itself aloof from the politics of the nation, it cannot shut itself off completely from the quarrels raging around it, and these discords are sure to find their way into the barracks. The consequence is that the French army, like the nation, is divided against itself. Furthermore, there is going on throughout the country—the Government's tolerance of this campaign almost approaches to complicity in it—not only an anti-military propaganda, but an organized attack on the idea of patriotism, the effect of which is to weaken the sentiment of duty not only in the soldier and the reserves, but even in the lads soon to enter the army; for it is an admitted and astounding fact that this anti-national propaganda is carried on in the public schools; otherwise it might be attributed to certain arrogant and misled scribblers, to some pseudo-philosophers or even to foreign machinations. But coming from the official educators of the nation, it must be regarded as a sort of madness with which Jupiter

has inflicted the French people in order to precipitate it to its ruin.

When we seek the causes of the discomfitures and checks which, one after another, have befallen the international policy of France, we are forced to attribute them to the *ensemble* of reasons given above, whose effects, it should be noted, go on increasing rather than diminishing. Furthermore, an impartial observer is forced to recognize the fact that there is a direct connection between this *ensemble* of causes and the republican *régime* as it is understood and practised in France, where, it would seem, nobody wishes to understand it or practise it in any other way. When a people with a logical mind perceives this fact, practical thoughts and conclusions naturally follow. It is not to be wondered at, therefore, that many Frenchmen have been led to ask themselves whether the nation acted wisely in adopting the republican form of government, unless we were also decided to abandon our rank as a great Power and the rôle which pertains thereto. But even among those who believe that a mistake was made very few would favor a change of *régime;* they are rather disposed to be logical in another direction and resign themselves to the idea that France has abandoned the part and the duties of a great Power. The republican leaders led off in this direction by the renunciation of the revenge against Germany which had been kept alive in France since the war of 1870. So completely has the republican party changed its policy in this matter that the inhabitants of Alsace-Lorraine, now clearly perceiving what the future has in store for them, are at present concerned only how best to arrange matters so as to live under these new conditions, which they consider final. Then, having turned their backs on this patriotic idea, these leaders adopt an ever-increasing attitude of reserve and inaction. This is their way of being logical, and it must be admitted that the vast majority of the nation accepts their view.

Most of those Frenchmen—there are still some of this sort left—who will not accept these logical consequences turn towards the example of the United States for comfort and ask why republican France may not make as much out of its *régime,* as regards both home and foreign affairs, as does the great Republic across the sea with its constitution of 1789. I only wish I could say that they are right and encourage them to continue on this line of reasoning. But unfortunately I cannot do so, for I brought

back with me from my sojourn in the United States the double impression which follows—viz., in the first place, I now see that Frenchmen are often mistaken concerning things political in America, and in the second place the home and foreign politics of the two countries are so different that there is no resemblance between them. And right here I would ask my American readers to be indulgent, which I am sure will be the case, for I am going to say more good than bad of their country, and particularly more good of they themselves than of their institutions.

As regards political and administrative matters, and especially as regards the working of the institutions of the country, I am thoroughly convinced that republican France has nothing to learn from the other side of the Atlantic. I feel perfectly sure that there is more political order and better administration in France than in America and also less corruption among the politicians. The reason for this is not hard to find. From a long practice, extending over several centuries, the machinery of Government has naturally reached a high state of perfection in France, which, of course, could not be the case in a country like the United States, where everything is young and in a perpetual state of formation. Again, in America the best in the nation does not, as a rule, go into public life; politics—at least until very recently—is rather an avocation than a serious business. Yet I think that the American people is in a healthier state than the French people, and this for two reasons. Firstly, in America the State meddles less than in France with the citizens' private interests and so has a weaker hold on national life; individual initiative does well where politics does badly. Secondly, the American people possesses an *ensemble* of good qualities which makes a healthy reaction easier.

Of all these good qualities which I find in the United States the most precious is that Anglo-Saxon spirit which has retained its empire over the nation, though this nation is now composed of elements which are very varied when viewed from an ethnographical standpoint. When applied to politics the Anglo-Saxon spirit is much superior to the Latin spirit, though the latter possesses certain other qualities which the former lacks. Nor should it be forgotten that the American people is always being rejuvenated by emigration, which has made it possible for the nation to preserve a freshness and vigor that an over-civilized and somewhat superannuated people cannot hope to have. And,

finally, the American State is not laboring, as is the French State, to weaken the foundation of morality by destroying religion, and as all sects are treated in the same friendly spirit on your side of the Atlantic there still exists in American life a moral brake which is disappearing from French life. One may say, therefore, that all that is worth anything in America is due to individuals and to the strength of the reaction which they oppose to the evils emanating from the political institutions of the country. At least this is the way the United States appear to me.

In matters of diplomacy—that is to say, in everything pertaining to foreign affairs—it is still more difficult to establish a comparison between France and the United States. Bearing in mind what I have said above concerning France and also the geographical situation of the American continent, it would be necessary, in order to institute a real assimilation between the two nations, that in the first place the United States, which has eighty millions of inhabitants, should have as neighbors, instead of Canada, which has six millions, and Mexico, which has eight, a Power with one hundred millions, corresponding to Germany, two others with eighty millions each, corresponding to England and Italy, and a fourth with forty corresponding to Spain. The splendid geographical isolation of the United States is, therefore, the essential difference between her and France. It would be necessary, furthermore, that the neighboring Powers be monarchical and military in the European sense of the word, and the United States, while remaining republican, should have this same military organization—that is, not a regular paid army, but "the armed nation" type of military establishment, which is quite a different thing. Still further, all Americans should not accept the existing form of Government, and the Federal Government should be in constant fear of endangering the life of the Constitution if called upon to defend with arms the honor or interests of the country. And, finally, the American people, like the French people, would have to be always conscious of a great military defeat whose memory rendered them timid. All these things would be necessary in order that the French Republic could be compared to the American Republic. But as this is not the case any such comparison is useless and misleading.

ALCIDE EBRAY.

THE CLAIM FOR "ABSOLUTE FREEDOM" FOR VIVISECTION

BY EDWARD BERDOE, M.R.C.S., L.R.C.P.E.

Two paragraphs recently published side by side in a London paper may serve aptly to illustrate the difference of the attitude in which a large and daily increasing number of thoughtful and intelligent persons assume towards the vexed question of Vivisection. One paragraph dealt with Dr. Doyen's experiment in Paris in transplanting a vein of a live sheep under complete anæsthesia to the leg of a man suffering from arterial aneurism, and thus restoring the circulation and curing the patient. The animal was put to no pain and was killed without any suffering whatever.

If we may legitimately kill animals for food, it could not be wrong to do what Dr. Doyen did. This is the argument used by Mr. Stephen Coleridge and those who agree with him in urging the British Legislature to make it compulsory to prevent all torture in laboratories wherein experiments upon living animals are performed. This is what we mean by legitimate vivisection. In another column of my journal there appeared an account of some experiments in the French navy on the effects of gun-fire at sea, when a number of dogs were confined in the cabin of a battleship which was bombarded to test the effects of the firing on the animals, which were, of course, not under the influence of any anæsthetic. At the conclusion of the experiments it was found that the dogs had been either burned to death, asphyxiated, or driven mad by terror. Those who oppose the torture of animals in the interests of science protest against such use of sentient creatures and, holding it to be immoral, they demand that it should be made illegal. The Vivisectors and those who support them reply that they must be absolved from the charge of cruelty

by the fact that their experiments are necessary for the advancement of medical science and the good of humanity. Considerable discussion has arisen about the meaning of the term "cruelty," and the Vivisectors repudiate indignantly its application to their work. Webster defines cruelty as "a disposition to give unnecessary pain or distress to others"; "an act which causes extreme suffering without good reason." The experimenters take their stand on this, and claim not only acquittal, but credit. They deny that they are disposed to inflict pain or are pleased at the suffering induced by their operations.

What they do in the interests of their science is "necessary," and although often severe it is held to be sanctified by its objects. The atrocities of the Congo rubber and ivory trade are defended by their perpetrators on the ground of the necessity of compelling the natives to collect a certain amount of rubber, ivory, etc., for the companies which employ them. Rubber is indispensable for a hundred purposes of our daily life; if the natives are indolent their task-masters say they must be compelled to work, and if they neglect to do so they must be punished. The shareholders in these African Companies must have their dividends, and the people must have their rubber, their ivory, and their tapioca. It is the same defence as that of the Vivisectors. "Necessity," said Sir Philip Sidney, "is the victorious rebel of all laws." William Pitt declared that "Necessity is the plea for every infringement of human freedom. It is the argument of tyrants, it is the creed of slaves." The plea of necessity has always been urged by the cruel. The men who have treated the natives of the Congo regions as Mr. Stackpoole has described in "The Pools of Silence," would have done all that the torturers in the Middle Ages did in the name of religion and the law, but what they did conscientiously the Belgian exploiters do for dividends and greed.

The civilized world is, for the most part, indifferent to the abominations of the Congo trade, and is naturally indifferent to the tortures inflicted upon animals in the laboratories of Europe and America. Their indifference in the former case is largely due to ignorance of the facts, in the latter it is due to the high esteem in which medical scientists are held and the difficulty of believing them capable of doing what the costermonger and the man in the street would be ashamed to do.

As the Vivisector works in secret and discourses piously in the

public press about the beneficence of his occupation and researches, he has no difficulty in obtaining a dispensation to do what he pleases, and he finds plenty of people to believe him when he denounces his opponents as slanderers and maligners of medical progress. The truth about Vivisection is much more readily ascertainable than the facts about the Congo trade. The rubber merchants do not boast of their doings even in their trade journals, but the Vivisectors record the details of their cruel work in professional books and papers. Dr. Crile's terrible experiments upon dogs are set forth in terms which any educated person can understand in his "Experimental Research into Surgical Shock," a well-known work to be found in any medical library. The story of Dr. Rose Bradford's experiments in gradually slicing away the kidneys of forty-nine living dogs which died in periods varying from six to thirty-six days may be found at length in the "Journal of Physiology" (Vol. XXIII., No. 6, 1899). The testimony of Dr. Klein, Medical Officer to the Local Government Board, London, was given to the First Royal Commission on Vivisection to the effect that he had "no regard at all" to the sufferings of the animals he used ("Minutes of Evidence Royal Commission," Q. O. 6,538 to 6,550). The prolonged sufferings inflicted upon dogs, a sheep and a rabbit by Sir T. Lauder Brunton, F.R.S., consequent on injecting digitaline, etc., into their veins is given at length in his work on "Circulation and Respiration" (London, 1906), pp. 103-129. "The Journal of Experimental Medicine," published for the Rockefeller Institute for Medical Research, and issued July 17, 1909, contains an article on "Meningitis," by Martha Wollstein, which consisted in inoculating into the spinal canal of monkeys the Diplococcus which causes experimentally cerebrospinal meningitis, the sufferings inflicted on the creatures by a method of injecting disease germs into their bodies, euphemistically termed "merely the prick of a needle," are set forth in detail, and every medical man knows what suffering is caused in the human subject by this terrible malady. We are often rebuked by our opponents for taking our examples of the cruelties of Vivisection from the works of Claude Bernard, Mantegazza, Majendie, Schiff, Paul Bert, Goltz, Chauveau and other foreign physiologists.

It is not strange that such outspoken accounts of the torture-

chambers of science as are to be found in the works of these experimenters should be very annoying to English-speaking scientists when translated for use in countries like America and England, where there is a greater detestation of cruelty to animals than exists in the Latin countries, but the crusade against scientific cruelty is prosecuted throughout the world, and it was such men as Majendie and his continental successors in the art of scientific cruelty who introduced it into our own schools of medicine and surgery. If our own experimenters are not so outspoken in their accounts of their researches, it can hardly be that our Vivisectors repudiate the practices of their colleagues, for their spokesman in England—Mr. Stephen Paget—holds up for admiration the name of Majendie to the Bishops and Deans who support his Research Defence Society, and the names of the other continental physiologists referred to above are held in the highest esteem by our English Experimenters. The civilized world is expected to exonerate them from the charge of inhumanity because Harvey vivisected nearly three hundred years ago in his researches on the circulation of the blood, because mosquitoes have been proved to be in some way associated with the transmission of malaria and yellow fever, and the treatment of diphtheria and tuberculosis has been improved—so it is maintained—in consequence of the researches that have led to the introduction of antitoxin and the tuberculin of Dr. Koch. On the strength of such examples we are asked to condone the torture of myriads of animal victims every year, which has resulted in nothing that could by any chance have advanced practical medicine or surgery. Dr. Jacob G. Schurman, President of Cornell University, in an article issued under the auspices of the Committee on Experimental Medicine of the Medical Society of the State of New York (1909), protests against all attempts to regulate experiments on animals—not to prevent them altogether, be it remarked—but to restrict them even in the very modified manner in which the English law interferes with them, and he demands absolute freedom for the investigator. He asks:

"How can he or you or I or any other person, except the investigator himself prescribe, and prescribe in advance, under what circumstances and conditions experiments upon animals are to be carried on? The investigator himself does not know where his research will take him, and few, if any, great discoveries have been made in science in response

to definite experiments deliberately undertaken for a particular end. Great discoveries in science have generally come by haphazard. 'The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh and whither it goeth'—this is the way of scientific discovery. Of a hundred definite experiments for definite objects ninety-nine are failures. It is the happy inspiration of some favored moment under favorable conditions which gives birth to the great new discovery. And of all these favorable conditions and circumstances there is only one that is perfectly clear. This is absolute freedom for the investigator. Accordingly, the anti-vivisectionists' proposal to regulate the experiments of the scientist really means the paralysis of scientific investigation. The question, therefore, is, Shall scientific investigation enjoy the air of absolute freedom, in which alone it can live and flourish, or shall it be extinguished by the meddlesome interference of self-confident ignorance and sentimentalism?"

"Absolute freedom" for the Vivisector; let us realize what this implies. Paolo Mantegazza, Professor of Pathology at the University of Pavia, published some thirty-eight years ago a work on "The Physiology of Pain." The "Lancet," March 25, 1871, p. 415, in a review of this book, said:

"It will suffice to state that the experiments were intended to study the action of pain on digestion and nutrition. They were, as the professor himself confesses, agonizing to the animals subjected to them and distressing to the experimenters, and simply proved that loss of appetite, great weakness and a peculiar inhibition of moisture were the result of the pain inflicted. It is added that no alteration of the spinal marrow could be detected after the agony had been protracted for one month. Very meagre results of unpardonable cruelty."

The experiments on a number of guinea-pigs dealt with the problem how to create intense pain and at the same time to keep the creature motionless in an attitude which would not (like lying on its back) interfere with respiration. The ingenious Professor hit on two ways to accomplish this double purpose, "either by exasperating the pain so that its influence overcame the action of the muscles of motion, or by planting sharp and numerous nails through the soles of the feet in such a way as to render the animal nearly motionless, because in every movement it would have felt more acutely its torment" (p. 95). For the former purpose he caused a machine to be constructed, a drawing of which is inserted in the book. In the centre is a large cylindrical glass box or bottle, in which lies a rabbit. Through the cork descends and moves freely a handle terminating in iron pincers and claws—

so arranged that the presiding physiologist may grip at pleasure any part of the animal's body and lacerate or crush it at his discretion. "Thus," he says, "I can take an ear, a paw, or a piece of skin of the animal, and by turning the handle squeeze it beneath the teeth of the pincers; I can lift the animal by the suffering part, I can tear it or crush it in all sorts of ways." Figure 2 represents this "tormenter" isolated from the rest of the apparatus (p. 99). The breath of the animal passes through two tubes out of the bottle into suitable vessels. Then follow the details of twenty-eight experiments. Many of them, he says, occupied two days, all of them one day at least, the animals being put into the apparatus for an hour or two, then taken out to rest and put in again. The Professor prefaces what is to follow by this remark:

"These, my experiments, were conducted *with much delight and extreme patience* for the space of a year. (*'Queste, mie esperienze, furono condotte con molto amore e pazienza moltissima per lo spazio di un anno'*)." —See "*Fisiologia del Dolore*," p. 101.

If we grant the Vivisector absolute freedom in his researches we must consent to the perpetration of atrocities of this kind. He considered them "necessary" for his studies on the action of pain, on digestion and nutrition. In his studies on burns and scalds made upon the dog, Dr. Wertheim, of Vienna, is reported in "The Edinburgh Medical Journal" (1868-9, p. 1,026), to have saturated the bodies of dogs with oil of turpentine five or ten times in quick succession, setting fire to it each time. Boiling water was used to scald animals nine times in quick succession. All the dogs died, either in a few hours or, at the latest, after five days. "Absolute freedom" in his researches on so important a subject as burns and scalds would warrant an experimenter in doing this if he considered it "necessary."

We are asked to leave the whole question of animal experimentation in the hands of the medical scientists. They say:

"Why should we not be willing to leave this matter with the scientific physicians? We entrust to them the lives of ourselves and of our children. And when, to devise means of preventing or alleviating our sufferings, they conduct experiments upon the lower animals, should we not extend to them the same confidence which we feel when we put our own lives in their hands?"

We reply that no profession, however honorable, learned, devoted and humane, can be trusted to act with the absolute freedom

demanded by the investigators of the laboratories. The history of religion in the past proves that the Christian Church was not always to be trusted with arbitrary and unlimited power over the bodies and souls of men, and in the Report of the English Royal Commission on Vivisection, 1876, on the necessity for legislative interference to protect animals from scientific cruelty, it is said that "It is not to be doubted that inhumanity may be found in persons of very high positions as physiologists. Sir Thomas Watson, Sir George Burrowes, Sir James Paget and many others have suggested the Analogy of the Anatomy Act (for legislation)." The Anatomy Act was passed in 1832 in consequence of the scandals connected with the great Anatomy School, at Edinburgh, at which Dr. Knox was a celebrated teacher. It was discovered that a murderer named Burke provided bodies for surgeons by killing his victims by suffocation, leaving no marks of violence. The crime was known as Burking, and to leave no temptation to such scandals as the robbery of graveyards and the murder of persons for the sake of the prices paid by surgeons for the bodies brought to the medical schools the wants of the doctors were provided for in a legal manner. I personally knew a most humane and benevolent old surgeon who told me that in his student days at one of our Great London Hospitals he had assisted in robbing a churchyard in Essex of a newly buried corpse for dissection at his medical school, when the scarcity of subjects for anatomical purposes was so great as to impede his studies. I could well understand the overmastering desire in an industrious student to secure material necessary to prepare him for his examinations when by legitimate means it was not to be obtained. Dr. Knox had great difficulty in supplying his students with bodies for dissection, and after the trial of Burke and his confederates the people of Edinburgh were so convinced of his negligence that they destroyed his house and library and he had to fly to the Metropolis, where he lived in obscurity and died in a by-street in East London.

If it was found necessary for the British Parliament to pass the Anatomy Act to abolish the practices of the Resurrection-men in 1832, and another Act to place some restrictions upon the Vivisectors in 1876, it is evident that no Government can afford to give carte-blanche even to "scientific physicians whom we trust with the lives of ourselves and children." No responsible anti-

vivisectionists, so far as my long acquaintance with them enables me to speak with confidence, accuse medical scientists of culpable negligence towards their animal victims, nor do they suggest that they inflict pain wantonly, but when it is admitted that "there is a limited proportion of cases, which may be of great importance, where the results of experiment would be endangered by any means that could be taken against suffering, in these cases the animal must suffer" (see "Statement of Professors on behalf of Science"—"Boston Evening Transcript," February 25, 1896). In that case the humanitarians are right in their protest that the claim of the Vivisectors for "Absolute freedom for the investigator" cannot be conceded.

EDWARD BERDOE.

THE BRITISH ELECTIONS.

BY SYDNEY BROOKS.

GREAT Britain in the throes of a General Election is not, and never has been, an engaging spectacle; and few Englishmen can look back on the contest that has just ended without a sense of shame and disgust. I am not now referring to the numerous outbreaks of rowdyism, to the meetings that have been broken up, the heads that have been broken, the speakers howled down and pelted. These are the traditional phenomena of every political campaign in England, excite little comment, and are taken as satisfactory evidence that the nation is really interested in what is going on. In that respect the recent campaign was on the whole normal. It was less tumultuous than the election of 1900, when an avowed pro-Boer could only address a public meeting at the risk of his life and when Mr. Lloyd George narrowly escaped being lynched by the Birmingham mob. On the other hand, it was considerably more disorderly and more productive of "incidents" than, for instance, the elections of 1892 and 1895. But a degree of violence that Americans would not tolerate for a moment in a Presidential election is so inseparable from the business of political discussion in Great Britain as to be accepted as a matter of course. It is not on this account that Englishmen are inclined to look back on the recent election with feelings of mortification and even alarm. Far more serious than the horse-play, the organized uproar and obstruction was the evidence that abounded of a moral and intellectual lowering of the whole political standard. Reason, of course, is always at a discount during an election, but never was it so utterly lost sight of as in this one. Partisanship, crude and incredible exaggerations, clap-trap, mendacity, puerilities, distortions — these find their place in every campaign; but, after weathering more than

half a dozen General Elections and four Presidential contests, my conviction is that they were never so supreme as throughout the struggle from which England has just emerged. The game was played throughout, and on both sides, about as low as it could be played, with the freest possible use of every artifice that could mislead, cajole, intimidate and confuse the electorate and appeal to the passions and cupidity of classes, interests and localities. It would have been supremely interesting to have heard the views, say, of a Chinese mandarin or of a Russian of the school of the late M. Pobyedonostseff, on the whole proceeding. It would hardly, I imagine, have converted them to the blessings of representative government. Happily the English, like the Americans, quickly recover from their electioneering debauches; their political instinct reasserts itself; and though the damage inflicted by methods that must revolt every reasonable man is undeniable, and will one day have to be made good, it is the sort of damage that is intangible, deferred and too widespread to touch the conscience of the individual citizen.

THE QUESTION OF ELECTORAL REFORM.

Meanwhile the election has emphasized anew the necessity of sweeping reforms in the whole electoral system. The absurdity of spreading the polls over a period of three weeks, instead of holding them all simultaneously on a single day, has never, I think, so deeply impressed the country. The newspapers, again, as is always the case after every General Election, are filled with the grievances of men who for one reason or another, usually because of removal from one constitutency to another, found themselves deprived of their vote by the limitations and complexities of a registration system which, besides being full of anomalies and practical injustices, is also one of the most cumbrous and expensive in Europe. The closeness of the struggle, moreover, between the Liberals and the Conservatives has drawn attention once more to the question of plural voting. An Englishman who has interests that qualify him for the suffrage in more than one constituency may vote in all of them, and instances of men polling ten and twenty times were by no means uncommon in the recent election. As nine-tenths of these fortunate individuals are Conservatives their privileges operate as a severe handicap on Liberal candidates. Then, too, the campaign produced between

twenty and thirty three-cornered fights between Conservative, Liberal and Labor candidates, and in some half-dozen of these the Conservative was returned, though he polled only a minority of the total vote cast. This is an anomaly which will undoubtedly have to be set right. Before very long, indeed, I fully expect to see adult suffrage established in Great Britain, all Parliamentary elections taking place on a single day, the saloons closed while they are in progress, plural voting abolished and provision made either by the device of the second ballot or by that of the alternative vote for the proper representation of minorities.

THE PROBLEM OF REDISTRIBUTION.

But all this, important as it is, is subsidiary to the greater problem of a redistribution of seats. Burke would probably have argued that the very anomalies and inequalities of any and every electoral system may be, and often are, its best features; and that a balance and variety of representation can only be secured by maintaining the diversities of the constituencies. Modern democracies, however, do not look at the subject from that standpoint at all. In dealing with it they are rigidly mathematical. They proceed along the theory that inequality in representation is synonymous with injustice and that all members of Parliament should represent as nearly as possible an equal number of electors. Even the old English doctrine that representation should be based not only on population, but on taxation, also has been discarded. Numbers alone are now the test. Applying this test, by the light of the last census, to the electoral system of Great Britain and Ireland, a most satisfying crop of anomalies is revealed. England and Wales have a population of 32,527,000, Scotland of 4,472,103 and Ireland of 4,458,775. The registered electors for 1909 were in England and Wales 6,156,441, in Scotland 771,388 and in Ireland 687,609. England and Wales contribute to Imperial expenditure about eighty-seven per cent. of the whole, Scotland a little over ten per cent. and Ireland a little over two per cent. Nevertheless, while England and Wales are represented in the House of Commons by 495 members and Scotland by seventy-two, Ireland sends to the Imperial Legislature no fewer than 103 representatives. If the proportions were to be adjusted in accordance with the number of registered electors, England and Wales would have 535 members, or forty

more than at present; Scotland would have sixty-nine, or three less than she has now; and Ireland sixty-six, or thirty-seven fewer than she now possesses. On a basis of population England and Wales should have 526 members (thirty-one more than at present), Scotland seventy-two (her present number) and Ireland seventy-two (thirty-one less than at present). To put all this in another way, one finds that Ireland, with less than one-seventh of England's population and contributing less than one-fortieth of England's quota to Imperial expenditure, has more than one-fifth as many members of Parliament as England; and also that Ireland, with a population slightly less than that of Scotland and contributing hardly one-fifth as much as Scotland to Imperial expenditure, returns none the less to Parliament thirty-one members more. The over-representation of Ireland—her numbers in Parliament were fixed by the Act of Union when her population was twice what it is now and when England's population was about a third of its present figure—and the under-representation of England are thus the kernel of the whole matter. But apart from this there are many other peculiarities in the British electoral system that offend the mathematical mind. For instance, the disparity between the largest and the smallest constituency in the United Kingdom is as twenty-eight to one—one constituency having over 52,000 registered voters and another only a trifle over 2,000. Then, too, it has been ascertained that one-half of the 670 members in Parliament represent 4,652,878 electors and the other half only 2,413,825; and that one-half of the electors send 464 members to Parliament and the other half only 206. To these and many other facts of the same kind the electoral statisticians, drawing their figures from the recent campaign, have been compelling attention; and I think it extremely probable that in the near future the British constituencies will be redistributed with as near an approach to numerical equality as is possible and that the thirty-one surplus Irish seats will eventually be parcelled out among English electoral divisions.

IS ENGLAND CORRUPT?

So far as I know, no petitions whatever have been presented for unseating members on the score of bribery and corruption. After the election of 1906 five such petitions were lodged. One of them turned on technical points; the other four certainly

disclosed a large degree of squalid corruption. In Worcester, a cathedral town, by the way, the revelations were so revolting that the city was disfranchised for a couple of years. It was proved that the bribable class practically held the balance between the regular parties. At Yarmouth, Maidstone and Bodmin also a good deal of downright corruption, of votes purchased for money, was unearthed. The sums paid for votes were often as low as fifty cents apiece—a fact which prompted an American friend of mine to claim that, as no self-respecting American would ever sell his vote for less than five dollars, England was, consequently, ten times as corrupt as the United States. But while, as the outcome of the recent campaign, there has been a certain amount of talk of bribery, of beer flowing with suspicious freedom, and so on, and while unquestionably there has been a great deal of social intimidation in the rural districts and of business intimidation in the towns, nothing resembling the revelations that followed the election of 1906 has been brought to light. It can, indeed, hardly be questioned that the absorption or abolition of the old rotten boroughs, the expansion of the electorate, the spread of education, the Corrupt Practices Act, the growth of class consciousness and self-respect among the working-classes, and the generally high standard of character among Parliamentary candidates, have pretty well stamped out the grosser forms of bribery at English elections. The lesser and more indirect forms, however, still flourish, and it would beyond doubt have a most salutary effect on English public life if the publication of all campaign contributions were enforced by law and if an Act were passed forbidding a member of Parliament or a candidate to subscribe to any society, charity or "movement" in his constituency. There is, however, another and more significant point which the recent election has brought home. In the matter of electioneering expenditure, it surpassed every campaign I have known in England, and one of its most striking features was the number of organizations, devoted to political ends, that took part in it. These organizations raised large sums for which they rendered no account. They supported their candidates with canvassers, motor-cars, posters, leaflets, and so on. They did for the candidate what he was absolutely unable to do for himself on such a scale. But no return of the moneys they spent has been or will be included among the statement

of expenses that every candidate is required by law to furnish. In this way the purpose of the Corrupt Practices Act is very largely frustrated. The injection of the fiscal issue into English politics has had already its familiar result of making the maintenance or the abandonment of Free Trade a matter of financial interest to vast numbers of wealthy business men, who, accordingly, are unloosing their purse-strings in a way that threatens to make every electoral contest a trial of financial strength. That beyond doubt was the most disquieting and in many ways the most ominous development of the recent campaign.

THE STATE OF PARTIES.

If now we turn to the political aspects of the election, it is clear at once that the Liberals and Free-Traders, though victorious, lost heavily. Nobody expected for a moment that they could maintain the high-water mark they reached in the election of 1906—an election that almost resembled a convulsion of nature. In 1906 every single circumstance told in their favor. In 1910, after four years of office, they had to face the unpopularity which gathers round every Government, the enmity of several powerful interests, the defection of the Unionist Free-Traders and the extremely zealous and effective campaign which the Tariff-Reformers have organized throughout the length and breadth of the country since 1906. That their majority, therefore, would be substantially reduced was known beforehand. The most sanguine Liberal did not expect the combined Liberal, Labor and Nationalist forces in the new Parliament to outnumber the Unionists by more than 200. The most sanguine Unionist, on the other hand, could hardly have hoped with any seriousness that the Liberal majority would be wiped out altogether; though several—probably to keep their political courage up—did actually prophesy a Unionist victory, and one even went so far as to fix the Unionist majority at ninety. In the event the Liberals did worse than most people anticipated and the Unionists better. The coalition of Liberals, Labor men and Irish Nationalists held a majority in the last Parliament of 334. That majority has now been reduced to 124. The Liberals at the dissolution totalled 373 and outnumbered all other parties put together by seventy-six. In the new Parliament they total 275, which is only two more than the Unionists, for a working majority over whom they

have, therefore, to rely upon their Labor and Nationalist allies. The Unionists at the dissolution were 168 strong; to-day they are a compact and disciplined body of 273. The Labor party in the late Parliament, including the miners' representatives who had agreed to sign the party's constitution at the General Election, and including also Mr. Grayson, the Socialist, numbered forty-six. In the new Parliament they number forty. The Irish Nationalists at the dissolution were eighty-three; to-day they total eighty-two, but of these ten are Independent Nationalists who, under the leadership of Mr. William O'Brien and Mr. Tim Healy, have revolted from Mr. Redmond and partly also from the Liberal party. Altogether the Unionists won 127 seats and the Liberals won twenty-two, making a net Unionist gain of 105. It is not yet possible to ascertain exactly the number and distribution of the votes cast, but roughly the Unionist candidates polled some 260,000 more votes than the Liberals and the coalition of Liberals, Labor men and Nationalists polled some 400,000 more votes than the Unionists. Sixteen Unionists, one Liberal and forty-eight Nationalists were elected or re-elected without a contest.

SOME GENERAL ASPECTS.

So much for the results as measured by statistics. Looked at politically, they are equally interesting. Scotland, Wales and Ireland remain substantially as they were in 1906, the big turn-over to the Unionist side having been effected almost wholly among the English constituencies, 465 in number. Of these the Liberals and Labor men held 327 at the dissolution. Every one of them was attacked by the Unionists and 121 were captured. Where the Unionists failed was in the urban and industrial constituencies of the North, Lancashire, Yorkshire, Durham and Northumberland standing like a rock for Free Trade. Where they succeeded was partly in the Midlands, where the Chamberlain influence regained a good deal of the ground it had lost four years ago, and partly in London, which is now represented by thirty-four Unionists and twenty-eight Liberals and Labor men instead of by forty-two Liberals and twenty Unionists, but chiefly and overwhelmingly in the rural constituencies—the "counties"—of the South, East and West. The counties were the great surprise of the election. The Liberals, relying upon them to

remain as stalwart as in 1906, had rather neglected them and had instead concentrated most of their activities upon the boroughs. The Unionists, on the other hand, feeling sure that the boroughs would prove satisfactory, had studiously cultivated the counties. In the event both parties were justified by their strategy and both disappointed. The Liberals did on the whole as well as they could have reasonably hoped for in the boroughs, but were overwhelmed in the counties; while the Unionists, making only moderate gains in the boroughs, proved amazingly successful in the counties, winning there nearly two-thirds of their victories. The net result is that two clear lines of political division have been drawn through the country. The North and the towns are mainly Liberal and Free Trade; the South and the rural districts are mainly Unionist and Protectionist.

THE CAUSES OF UNIONIST SUCCESS.

Englishmen will continue for long to wrangle over what were the causes of the Liberal setback, what were the predominant issues and influences at the election, and what precisely it has "settled." The Constitutional issue, which was to most reflecting Englishmen the supreme issue, proved a Liberal asset of varying potency. The Conservatives naturally shirked it as much as they could, but in many constituencies it aroused little interest, in most it was overshadowed by the fiscal question, and in none—or in none, at any rate, that I have heard of—was it clearly the deciding factor. The action of the Lords handicapped the Unionists, who certainly have no wish to enter on another election with the Peers on their back, and it stimulated Liberal enthusiasm everywhere, but at no time did it occupy the position that its transcendent importance entitled it to. In the towns the Budget, and especially the land taxes, served the Liberals well, but in the rural districts they worked with deadly effect, the farmers being convinced that the proposed system of land valuation was merely a stepping-stone to increased taxation. Among the large number of intelligent Englishmen who belong to neither party many were drawn to the Liberal side by the action of the Peers, but many also were repelled from it by the extravagance of Mr. Lloyd George's rhetoric. In some constituencies the Liberals found it difficult to down the suspicion that they had neglected the navy; in others the German "scare" told heavily against

them; in many more the nervousness of the small householder and property-owner on account of the "Socialistic" character of Liberal legislation proved a most formidable stumbling-block; and in all constituencies the Liberals had to face the bitterest opposition of the saloon-keepers and the persistent and largely successful propaganda of the Tariff-Reformers. In the rural parts londlord, farmer, squire, parson and publican joined hands in an unprecedented effort to stamp out Liberalism in their districts; the agricultural laborer, on whom the Liberals had mainly relied, was either converted to Tariff Reform or else cowed and dragooned by the local magnates into voting the Unionist ticket; squadrons of motor-cars brought up the remote voters; and Liberal candidates in consequence went down like ninepins. The election showed that Tariff Reform had everywhere, except in the urban North, made very considerable strides; that the country was somewhat disturbed by the manifestations of the "new Liberalism"; that while not abandoning Free Trade, it intended to warn the Liberals not to neglect the navy and to restrict their policy of social reform; and that while not enthusiastic for the Budget, it was willing that it should pass and that the veto of the Peers on finance should be effectively bridled. The Liberals, in short, have been cautioned rather than encouraged; they have won a victory and received an admonition; and their chief consolation is that had the election taken place a year ago victory of any kind would probably, almost certainly, have been denied them. They have met with a rebuff. But for the Budget and the Peers it might have been a disaster.

THE FUTURE.

The times, then, are dubious and confused. The Liberals have a majority of 124. But of these 124 forty are Labor men and eighty-two are Irish Nationalists. The latter, therefore, are once more the masters of English politics. If they vote against the Budget—and ten of them, the ten Independent Nationalists, are pledged to do so—then the Government must fall. In the present state of parties no Ministry can endure without the goodwill or against the opposition of the Irish Nationalists. They are in the position which they have always described as the ideal position for extracting Home Rule. But nothing can be more certain than that Home Rule will not be granted by the present

Parliament. The Budget must first of all be passed. Then must come the gagging of the Lords on all future Budgets—an undertaking which, though admitted to be necessary by reasonable men of all parties—will assuredly prove difficult and contentious. And after that the Liberals mean to proceed with their general campaign against the constitutional prerogatives of the Lords. They mean to deprive the Upper House of the power of rejecting any Bill which has been passed three times by a single Parliament. That is a most hazardous enterprise; it will be stoutly resisted; I detect little feeling in the country in favor of it; I believe it will fail and will drag down the Liberal party. The opinion, in fact, in England, as I write, is that the recent election "settled" very little and that another appeal to the country on the specific issue of the House of Lords is a certainty before very long.

SYDNEY BROOKS.

NEW BOOKS REVIEWED.

SOCIAL ECONOMICS.

THE College Equal Suffrage League of New York State, that planned the investigation into the results of equal franchise in Colorado, and Miss Helen L. Sumner, who carried out the investigation, have both performed a signal public service. They have supplied the Suffrage Cause, the Anti-Suffrage Cause, and the great conservative body of men and women who have not yet made up their minds to either cause, with a small but definite body of facts. In the revived interest in the extension of suffrage to women that has marked the last few years, theoretical arguments *pro* and *con* have been widely discussed. Assertions and counter assertions have become commonplaces; Suffrage elevates women to equality with men; it degrades them and renders them unwomanly. It doubles the ignorant vote; it increases the intelligent vote. It makes women neglect the home; it makes for a more inspiring home life, and a new comradeship between men and women. It makes for corruption in politics; it purifies and ennobles politics. What the great body of the American public want to know of the Suffrage to-day is not what it claims, but what it accomplishes. What they are pragmatically interested in, is whether it works.

An answer to this question is offered in Miss Sumner's book on "Equal Suffrage."* It is the result of an investigation into the political conditions and the legislative changes in Colorado after thirteen years' experience with equal franchise. The results will be to the highest degree unsatisfactory to the confirmed Anti; they will be moderately unsatisfactory to the suffrage enthusiast who hopes for the political millennium. They will be interesting as well as satisfactory to the moderate-minded suffragist who is

* "Equal Suffrage," by Helen L. Sumner, Ph.D. Harper & Brothers. 1909.

at the same time a student of human institutions. After thirteen years of equal suffrage, all the men in Colorado are not in favor of it, nor are all the women; nor have the men and women made up their minds about it one way or another. In an investigation of 1,291 men and women representing widely differing interests, and selected to include all the influential factions in public life, 55.2 per cent. of the men, and 72.1 per cent. of the women were reported as favorable; 29.5 per cent. of the men and 15.14 per cent. of the women were unfavorable; 15.3 per cent. of the men and 12.5 per cent. of the women reported that they had not yet made up their minds. But according to Miss Sumner's figures, the number of men who are favorable to equal suffrage has increased 10 per cent. since the passage of the bill in 1893; and the great majority of the women believe it works for their good and the public welfare.

The investigation took the form of an elaborate questionnaire, and the material so obtained was amplified by statistics taken from public records. It covers the part played by women in party politics, and in public-office holding. It indicates the influence women's votes have had for and against a man or a measure. In a chapter on the "Economic Aspects of Equal Suffrage," the problem of affecting wages by legislation is discussed. But by far the most suggestive chapter in the book, in view of the current interest in the movement, is the last, where Miss Sumner has analyzed the opinions of the men and women favorable, unfavorable, and neutral to the question at issue, as to the effect of equal suffrage on the women of Colorado. No one interested in this living political issue can afford to pass by the opinions of these 1,291 men and women who have had thirteen years' experience of conditions which are to most people purely hypothetical. Their judgments as to the influence of the suffrage on the morale, intelligence and public spirit of women, of its effect on home life and the bringing up of children, are some of the facts which are sorely needed at the present stage of the movement.

Despite the ring of its title, "Misery and its Causes,"* by Dr. Edward T. Devine, is one of the most optimistic and cheerful

* "Misery and its Causes," by Edward T. Devine. New York: The Macmillan Company. 1909.

books of the year. It reflects the convictions of a student of modern social conditions, whose scientific methods have not degenerated into academic formalities, and whose concern for humanity has not verged on sentimentality. He has looked far and deep into the causes of human misery, and has found in the midst of great evils the possibilities of good. Aside from such individual causes of unhappiness as remorse, failure in ambition, loneliness, or defective personality, the causes of social misery are found to be economic maladjustments. "Misery, as we say of tuberculosis, is communicable, curable and preventable." Social and economic maladjustments, and not depravity, account for a great part of the increase of suicide, crime, social evils, physical and mental deficiency, which mark our growing industrial and commercial communities. These maladjustments as they affect the physical conditions, the laboring capacity, and the social relations of the poor in our great cities, are discussed in the three chapters headed significantly "Out of Health," "Out of Friends," and "Out of Work."

A further analysis of these adverse conditions, and, perhaps, the most suggestive chapter to the student of social problems, is made from a study of the circumstances of the 5,000 families who applied for relief to the New York Charity Organization Society during the years 1906-1908. Finally the causes of social misery are recapitulated from another aspect, in constructing a programme for rational social control. Certain social conditions, within the control of society itself, make for a normal happy community. Their absence spells Misery. Dr. Devine holds these fundamental conditions to be a sound physical heredity, protected childhood, a prolonged working period for both men and women, freedom from preventable disease, freedom from professional crime, a general system of insurance, a system of elementary education adapted to the present needs and resources, a liberal relief system, and a higher "standard of living."

Besides the botanist, the agricultural expert and the colonial administrator, for whom the book is obviously intended, Mr. Willis's little volume on "Agriculture in the Tropics"* will be

* "Agriculture in the Tropics," by J. C. Willis, M.A., Sc.D., Director of the Royal Botanic Gardens in Ceylon. Cambridge University Press. 1909.

welcomed by two orders of the lay brotherhood. The traveller whose *Wanderlust* takes him to the far corners of the earth, and the traveller who, never leaving his comfortable fire and lamp, voyages over the rustling country of a map, will both find the book packed full of interesting material. The main part is devoted to the cultivation of the staple tropical products. In crisp phrase and with abundant illustration, are set forth the agricultural and industrial processes by which some of the great commonplaces of daily life are produced. Rice, sugar, tea, coffee and cocoa, nuts, spices and fruits, have their histories, discoveries, migrations and adaptations, not unlike those of the peoples who live by consuming them. The descriptions of the development of the tobacco, opium and hemp industries, the adaptation of the Brazilian cinchona to the Asiatic tropics, and the subsequent monopolization of the quinine trade by Java, are chapters from the world politics of the vegetable kingdom.

Throughout the book, and especially in the part in which is outlined a progressive agricultural policy for a tropical country, we feel the point of view of the British Colonial official, who sees the development of the tropics carried on by European and American planters, by means of European and American capital. With regard to the future of the American island dependencies, the book cannot be passed over by our students of colonial affairs.

The most persistent tradition of the American people as a whole, Mr. Croly finds* to be a belief, that owing to their favorable conditions and natural enterprise a future of unusual promise and greatness awaits them. "The substance of our national Promise has consisted of an improving economic condition, guaranteed by democratic political institutions, and resulting in social amelioration." Following the Jeffersonian principle of governmental non-interference, the majority of the people in the frontier days of the Republic and in the Middle Period felt that the fulfilment of the Promise was inevitable, and, therefore, admitted the greatest individual latitude in their economic organization. The minority—and Mr. Croly does not hesitate to consider them the intelligent minority—advocated, though not effectively, the Hamiltonian principle of national responsibility.

* "The Promise of American Life," by Herbert Croly. The Macmillan Company. 1909.

Since the close of the Civil War the "laissez-faire" policy of economic individualism has tended to create such inequality of fortune and power as to undermine the bases of Democracy and to threaten the Promise of the Future. Mr. Croly holds a brief for the centralization of political power in the hands of the Federal Government, for the control by a responsible public body of the economic organizations, especially the labor organizations, and for the gradual socialization of all forms of wealth. "If any critic likes to fasten the stigma of socialism in the foregoing conception of democracy" the author is "not concerned with dodging the odium of the word." Indeed, to a candid reader it is difficult to distinguish between Mr. Croly's "constructive Individualism" and the ideals of the conservative state Socialists.

The penalty which the twentieth-century American pays for his patriotism is apt to be periodic fits of depression, when he considers the number of insoluble national problems. Tariff, trusts, socialism, strikes, congestion, crime—present problems that harry our souls for solution, and may possibly be solved by our great-grandchildren. From these latter-day plagues we turn to this book as to the fresh west wind, that blows away our highly specialized modern germs, and cools our overheated modern houses. We read again the romance of America in the making, told not in treaties, battles and bargains, but in the lives of a few great Americans. Daniel Boone, hero of many Indian fights, discoverer of the Wilderness Road; Thomas Jefferson who doubled the territory of the United States to the tune of fifteen million dollars; General Jackson, who covered himself with various shades of glory in the acquisition of Florida; all stand as central figures in the drama. Houston, moving spirit in the annexation of Texas, Benton in the occupation of Oregon, Fremont in the Conquest of California, present another trio, differing in character and temperament and yet possessing one great trait in common, an overpowering interest in the building up of their country.

These biographies appeared serially in the "Outlook," and have now been gathered together in book form.* The final effect of

* "The Romance of American Expansion," by H. Addington Bruce. Moffat, Yard & Company. New York: 1909.

the narrative is somewhat impaired by the magazine tradition. Details are unnecessarily scanty; events follow one another with undue rapidity. The principle of expansion might well have been applied to the book, and we close with an unsatisfied desire for more—more stories, more adventures, more Americans.

To the readers who have felt the charm of Professor Lombart's facile style, the present volume loses a little in translation. Mr Epstein's translation of the sixth (enlarged) German Edition of "Socialism and the Social Movement"* is, however, highly to be commended for a faithful rendering of the spirit of the original, and for its timely appearance. Assertions as to what Socialism is, and what it is not, greet us at every turn. That this book has shed much light on these vexed questions for many people and in many lands, is evidenced by the fact that since its first appearance in 1896, as a little volume of 130 pages, it has been translated into eleven European languages, and expanded to almost three times its original size.

As the title suggests, a distinction is made between Socialism, by which Lombart means the "intellectual embodiment of the Social Movement," and the Social Movement, or "all the attempts at emancipation on the part of the proletariat." The one comprises a body of social, political and economic theories, the other a series of attempts to realize these theories in the sphere of practical politics. Socialism, itself a reaction against economic rationalism, or the "intellectual embodiment" of the ideas of the Capital class, has in the last century exhibited a variety of forms. Steeped in the doctrines of Rousseau, the Utopian Socialists—Cabet, Fourier and Proudhon—preached a "return to Nature" in terms of eighteenth-century rationalism. The Anarchists Bakunin, Kropotkin and Jean Grave, find in the State the root of all evil and again the only "rational" society, a "natural" one. Against the theories of the rational socialism the historical Socialists insisted that "the Constitution of any State is not a creation of pure reason; and, therefore, cannot be constructed by any set of reformers according to their inclinations. It was rather the expression of the existing distribution of power in the State." The most recent modification of this historical or scientific So-

* "Socialism and the Social Movement," by Werner Lombart, translated by M. Epstein. New York: E. P. Dutton & Company. 1909.

cialism is the so-called revolutionary Syndicalism of France; the movement to organize whole industries in trade-unions, and to bring pressure to bear on organized Capital, by means of the General Strike, which doctrine Lombart finds directly traceable to Marx's teaching.

The social movement of the proletariat for emancipation is not to be confounded with the revolutionary movements of the nineteenth century. The proletariat played a small part in the revolutions of 1789, 1793, 1830, 1832 and 1848, but "at bottom these movements were middle-class movements, and their aim was to acquire political rights for the middle classes." In each country the proletariat developed certain peculiarly national institutions, influenced by the national political character. In England we find the Co-operative Movement, the Trade-Union, the practice of collective bargaining. "In Germany the social movement is distinguished by its prevailing political character," in France, it is characterized by "Factionism, Clubism and Putschism." But despite the national peculiarities, the proletariat movement in all countries shows a tendency to uniformity, "a tendency to unity of action on the part of Labor parties in all countries." The movement is becoming universal, rather than national, and the political and economic programme of Social Democracy shows a growing unity of aim in all parts of the army of the proletariat.

To the ordinary citizen whose daily concerns are with the arts of peace, Mr. Homer Lea's very vigorous and informing book on the probabilities of imminent war comes with peculiarly disquieting effect, the more so since his message is heralded with great earnestness by General Chaffee and General J. P. Storey, both experts on foreign military relations and coast defence. The attitude of the average American citizen to the question of a possible invasion from abroad is one of confidence in the seclusion of his continent between two oceans. The business man believes that the growth of international trade relations, and the spirit of arbitration makes international wars improbable. But should such a war come, the American people are rich enough in wealth, and patriotic enough in spirit, to resist any attack. Hence the regular army is allowed to dwindle to many thousands less than the number provided by Congress; the present navy is

insufficient to afford coast protection. This attitude of the public mind, Mr. Homer Lea stigmatizes as the "Valor of Ignorance."* The nation is in a state of unpreparedness, owing, it is true, to a number of natural causes, chief among which is the rapid growth of national wealth. But other nations, with whom the United States has intimate relations, notably Germany and Japan—are not unprepared. With the present German military organization and merchant marine, "Germany can transport to the United States a quarter of a million soldiers in a fortnight." "Japan can mobilize in one month more troops, scientifically trained by educated officers, than this Republic can gather together in three years." In view of these possibilities, Mr. Lea compares the American organization for repelling invasion—the standing army, the navy, the facilities for moving troops and for sanitation. He declares them all to be inadequate to resist the invasion of any army of the present strength of Germany or Japan. Valor is based on Ignorance indeed!

The book *is* very disquieting, and our valor diminishes with enlightenment. We wish after closing it that we had quite the same confidence as before in Peace Conferences, Courts of Arbitration and the "commercial bonds between nations." And it would be easier to discuss it, did it not rest on such excellent authority.

Judge Davis's "Elements of International Law"† has been revised to include the results of the second Peace Conference at The Hague in 1907, and the important international events of the last decade. As a text for class use the book has been immensely improved by the inclusion of many cases illustrating the principles of the Law of Nations (which, by the way, are most entertaining reading for the layman) and by the elaboration of the bibliographies, references and appendices. The present volume has, in fact, graduated from the text-book class and is fast attaining the dignity of a reference-book. For the reader of news and the student of politics, such a book is becoming indispensable. We are living in an age of interest in international affairs, an interest catered to by the daily press and by the mania for

* "The Valor of Ignorance," by Homer Lea. Harper & Brothers. 1909.

† "The Elements of International Law," by George B. Davis. Published by Harper & Brothers. 1908.

travel. In a little over a decade we have seen four international wars, countless international altercations, and in the same period a steady pressure from all sides for arbitration and a peaceful settlement of international differences. The innovations of modern warfare, and the recommendation of the Peace Conferences have both made for a modification of many of the principles of international law. A new era in the history of national relations and international dealings seems to be setting in; an era in which air-ships, submarines, long-distance projectiles and wireless are setting aside the barriers of nations, and opening up new areas of activity. The most recent Conventions, and agreements concerning the conduct of hostilities and the procedure of neutrals are reprinted in full as appendices to the text, and rescued from the newspaper oblivion which threatens those events which are recent enough to be almost remembered, and not old enough to be history.

There is a confused impression in nearly all Northern minds, and in many Southern, as to the motive which drove Virginia into secession. Some writers have attributed that momentous act to the Virginians' desire to preserve the institution of slavery because necessary to the profitable working of their plantations or because insuring them an additional income by the sale of their surplus bondsmen. Some have attributed it to the outraged feeling caused by the intemperate crusades of the Abolitionists; some to the threatening and aggressive conduct of the Republican party; some to the State's complete alienation from the Union, which she had done so much to found and extend. In the work under review* Mr. Beverley B. Munford, a distinguished lawyer and publicist of Virginia, has examined into the soundness of these several suppositions, and by a fund of information gathered from original sources demonstrates how entirely inadequate all are, whether taken singly or in combination, to afford the true explanation of that fateful movement. Why, then, did Virginia secede? asks Mr. Munford. She seceded because she was summoned by Lincoln's call for troops to aid in the coercion of her sister States of the South—a step that would have ap-

* "Virginia's Attitude towards Slavery and Secession." By Beverley B. Munford. New York and London: Longmans, Green & Co., 1909.

peared to her to be a subversion of all those principles upon which, in her view, the Union itself was founded. Have the people the right to determine for themselves their political destiny? Are the just powers of government to be measured by the consent of the governed? "These were the questions," says Mr. Munford, "which, carrying their own answers, impelled the Virginian opponents of coercion in 1861 to stand, as they believed, for the political and ethical principles which the flag symbolized, rather than for the flag itself." Mr. Munford's volume possesses far more than a local and sectional importance, for its treatment of its general thesis is so comprehensive in substance and so broadly patriotic in spirit—it deals with questions that reach over so constantly into the domain of national events and influences—that from start to finish the volume appeals irresistibly to every citizen of the Union who is interested in the most momentous era of our national history since the close of the Revolution.

One's first feeling in reading the essays of Miss Jane Addams, published under the title "The Spirit of Youth and the City Streets,"* is how great our wealth and benefit is in having Miss Addams. Her work at Hull House is known the world over, and to those who have regarded the condition of the city poor as hopeless she is a powerful force. She feels as much as she thinks, and it is her feeling that makes her a mine of wise suggestion and practical advice. It takes no small insight to discern that what appears to be squalor, misery, foolishness, crime, is in many instances a revolt against an order which youth feels to be unsympathetic and alien. Her little book cries, Awake! There are no ideals for which man is fighting and dying. Youth demands ideals! Youth will not bow down to a strange god; it is blindly waging war against him, a war without a leader, a mob fired by a passion to be free; the people are demanding a banner they can love, are calling for one who can order the motley mass into a pageant singing hymns of joy. The noble words of the prophets of freedom are as chaff, the magic wand of the inventor has been wielded in vain, unless man knows him whom he serves. It is the glory of youth that it has not forgotten;

* The Spirit of Youth and the City Streets." By Jane Addams, Hull House, Chicago: The Macmillan Company, 1909.

it is our shame that we, the mythical we, the community, have. This is Miss Addams's message.

FICTION.

In a good hour the greatest living dramatist of Germany has gone back to writing novels and set down for us a piece of Berlin life*—not neat or nice or cheerful, but terribly real. As people are so he sets them down, and gives the reader not a single figure in rose-pink or sky-blue for edifying adoration. This is manifestly unkind to the born sentimentalists, but with such he keeps no terms. He declared war on sentiment as such in the old days of "*Es War*" and "*Die Ehre*," yet he is not the least in the world a materialist; he believes that the human soul can and does exist everywhere, in vaporings and in bemirings, even in the most unlikely and sordid folly. Therefore, this history of one wretched life, set down without fear or favor and without one word of comment, is not quite hopeless. Somehow poor, impotent, silly Lilly is at the last a little humaner, a little less befogged, one short step farther away from the state of cats and canary-birds, one tiny degree nearer the remote estate of saints and poets. Browning once said something flippant about the immortality of the soul "where a soul may be discerned." Well, Sudermann has discerned it, has encouraged us to hope for it, in a book that expresses at once his comprehension and his hope of humanity.

Such a quaint *pastiche* is this "Felicità,"† with never a hint of the real place (though the author knows Italy) or of the real documents (though the author has written on the Middle Age before), but all pieced up out of his histories and compendiums, some of them charming enough, out of abstracts and second-rate essays and novels even. Mr. Christopher Hare, who had so little to say on "Dante, the Wayfarer," and said it with such cynical aplomb, "condensing" "The Book of the Courtier" and hashing up the life of its courtly author, does not understand that he has still to learn to write. He cannot, so far,

* "The Song of Songs" (*"Das Hohe Lied"*). By Herman Sudermann. Translated by Thomas Seltzer. New York: B. W. Huebsch.

† "Felicità: A Romance of Old Siena." By Christopher Hare. New York: Frederick A. Stokes Company, 1909.

describe a vista or depict a character or tell a tale. And yet many will enjoy the very names upon the page. The thrifty publishers, we note, who inaugurated the series of "Little Novels of Famous Cities" with a tale about Perugia, have used here a page bordering for a book on Siena set with the griffin of Perugia. It is all rags and tags of a velvet gown, a kind of gilt gingerbread cock-horse.

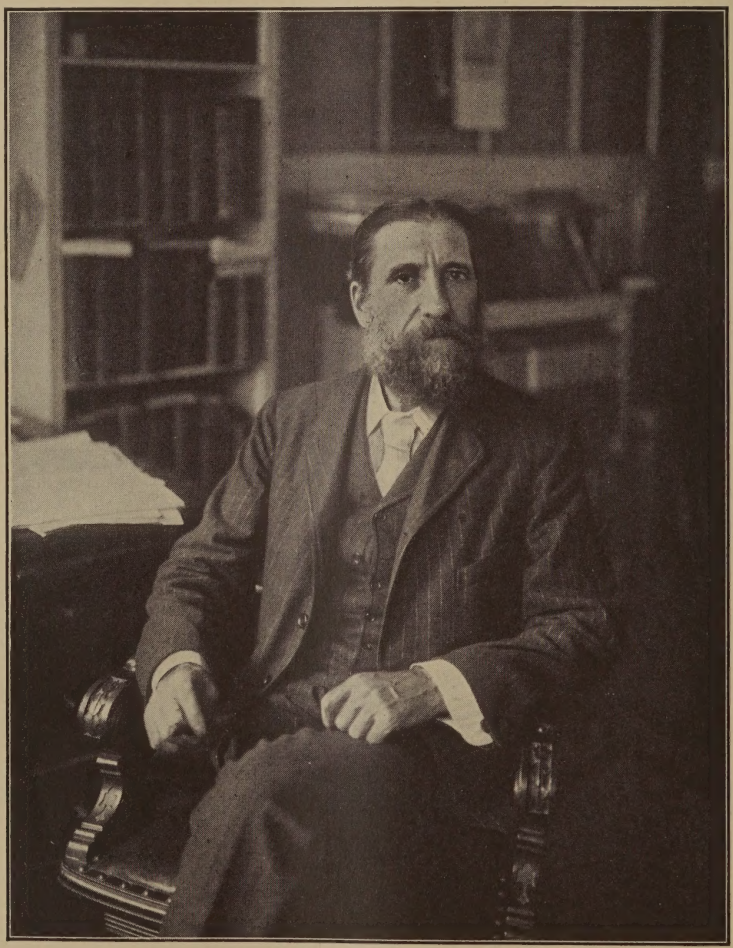
LANGUAGE.

When the odium theologicum had spent its fury, and the last dissentient had been burnt at the stake with appropriate solemnities, the odium litterarium had remained to continue the sacred tradition. But this has now received what we fear may be a fatal blow from the serenity and benignity—if these can deal a blow; it does not seem as though they could—of Professor Lounsbury's charming essays on "English Spelling and Spelling Reform."* The whole book containing them is interpenetrated with a sweetness and light which must be temperamental, which must be an effect of what the Swedenborgians call *natural good,* and which could not have been acquired by the most eager and earnest spiritual striving for righteousness. To any one so thoroughly persuaded of the common sense and common honesty of the simplified spelling, the author's smiling reasons, his pleasing ironies, in its favor are absolutely unanswerable, and we should think the wickedest opponent of it would be convinced, and would set about enrolling himself among the blest, with eyes fixt upon the fonetic goal, and feet pressing thru the quicksands of superstition to the stedfast shores of the promist land. The sentimentality, the arrogance, the ignorance which have joined to fasten the chains of an insane orthography upon us, and to incarcerate our hapless English parlance in a bedlam where the lunatics are in power and the doctors and keepers are in strait-jackets, are all disposed of with a laughing ease that the lunatics themselves ought to enjoy. Never before was so much learning joined to so much loving-kindness in the treatment of the ridiculous pretenders to sanity in these conditions. Professor Lounsbury cannot dispose of all their "arguments," but he disposes of

* "English Spelling and Spelling Reform." By Thomas R. Lounsbury, LL.D., Emeritus Professor of English in Yale University. New York and London: Harper & Brothers.

enough to keep his reader constantly amused from that of the good Boswell, who wished to keep the *k* in havock and publick, "as a mark of their Saxon original," though there was never any *k* in the Anglo-Saxon alphabet, down to the latest newspaper pundit who has insulted the good-will and superior intelligence of the simplified spellers in behalf of the participial *ed,* spelt by the best poets and printers centuries ago with a *t.*

The study of English orthography is indeed a gay science in the handling of Professor Lounsbury. The most difficult digraph, the most reluctant diphthong, is made to yield a sweetness to this scholar's genial mood; and all those awful questions of the *u* in honor and labor, of the movement of vowel sounds, of the vowels themselves, of the objections to change in the orthography which has never been constant to itself for ten days together, and which it is the duty of every good citizen and every innocent child to join in destroying, are treated with a luminous patience past the utmost merit of the least guilty of its champions. The whole book is so delightful; it so abounds in the friendliest humor, the most courteous instruction; its erudition is so well mannered, its wisdom is so forbearing yet so persuasive, that we wish it could be in the hands of every man, woman and child in the country. It is, perhaps, too mad to hope that the week or month will ever come when it shall be quoted among the best-selling books by the "literary" and "critical" periodicals; but if that week or month ever came, it would be of bright omen for a language now languishing under the vilest wrongs ever inflicted upon an innocent speech. We seek in vain among the customs of savage or barbarous peoples for a parallel of the grotesque misusages of English orthography. Nose-rings, foot-binding, tight lacing, razor-pointed shoes, tattooing, all these are emblematic of an advance in civilization far beyond that marked by our long-established, often disestablished, never re-established, spelling.



David A. Munro.

DAVID A. MUNRO

BORN NOVEMBER 23, 1848. DIED MARCH 9, 1910

EDITOR OF THE NORTH AMERICAN REVIEW IN ASSOCIATION WITH ALLEN THORNDIKE RICE, LLOYD BRYCE, AND GEORGE HARVEY FROM 1889 TO THE DAY OF HIS DEATH. WORDS CANNOT DEPICT THE NOBILITY OF HIS CHARACTER, THE BEAUTY OF HIS SPIRIT, THE VALUE OF HIS LOVING KINDNESS. GOD REST HIS GENTLE SOUL IN PEACE!

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THE PROPOSED CHANGES AT HARVARD.

BY JOHN H. FINLEY, PRESIDENT, COLLEGE CITY OF NEW YORK, CHARLES F. THWING, PRESIDENT WESTERN RESERVE UNIVERSITY, AND DAVID STARR JORDAN, PRESIDENT, LELAND STANFORD JUNIOR UNIVERSITY.

CONCERNING WAYS AT HARVARD.

When I observe, as I daily do, how different any one lad of my acquaintance is from any other lad of that same acquaintance, I wonder that any man of an active conscience, even if of great wisdom, can speak dogmatically, as many such men seem able to do, of any particular curriculum of education. Within the last few years there has come into use a word which intimates that to a fraction of young humanity at least, the once all-comprehending norms and dogmas may not be so unquestionably applied. The word is "atypical." It is used to define those who are appreciably out of the normal or the typical in aptitude, and it is accompanied now in many communities by special educational provision to meet the special lack. The State of Ohio, for example, a few years ago made an appropriation for the special training of a single child of a peculiar abnormality. But in a sense we are all atypical. There is difference only in the degree of atypical divergence. The old Scotchman who said to his wife, "All the world is queer except me and thee and thee is a

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bit queer" came near speaking a truth that has not, as a rule, been clearly recognized by those doctrinaires who assume to frame systems of education for great masses of undifferentiated beings; for "each one of us belongs to a thousand classes." Dante was much more discriminating in his punishment of lost souls than are many "educators" in their categories and curricula of instruction for the living souls. What has so strongly and widely appealed to men, in the Harvard elective system, is its recognition of the individual and his peculiar variations, fitnesses and ambitions. What has made it less than ideal is that it has within certain bounds permitted and encouraged this lack of normality, allowing him that is atypically lazy to be lazy still, and him that is atypically righteous to be righteous still. The compulsions of intellectual conformity to type have not been such as to cast either of these into the outer darkness of the atypical. So much we are permitted to infer from President Lowell's rather optimistic lament over the intellectual disintegration of college life.

That nearly every college of importance in this country has followed (many at a long distance) this Harvard theory into a practice of electivism more or less free must connote something more than the mere leadings of fashion, which is potent even in matters academic. It has been a pathetic sight to witness in the colleges heroically struggling under or against deficits—this slow adding of the newer and, for the most part, more expensive knowledges. But they could have gained admission into the old curricula only as electives, and so I am inclined to think that what Harvard has done in giving such generous hospitality to disciplines a quarter of a century ago unrecognized, has far more than compensated for the uncouthness of a few of the guests. This hospitality shown by the first of American colleges has given opportunity to establish in others the group system (of prescribed and elective subjects) now widely in vogue in many American colleges, and under President Lowell to obtain formally and fixedly at Harvard, as indeed it has prevailed informally, of student choice and professional advice, during all the years of elective freedom. I doubt if the curricula of our colleges would to-day include as many of these subjects as they now have if the elective system had not been operative in some great leading college. Nearly every "branch" in President Lowell's scheme is now to be found even in the smaller and more conservative col-

leges. It is as if the great Chemist-President Eliot had gathered all the elements—all the disciplinary systematic knowledges, old and new — and tested their reactions upon the undergraduate mind, and that now his successor is to seek known and desired precipitates according to certain formulæ learned of these tests. Of course the undergraduate mind is still undetermined and indeterminate. Only a master who knows it collectively and individually is likely to select the most efficient series of reagents, the particular curricula that will procure the desired solution or precipitate; and he cannot always be certain. I stood beside a boy not long ago when he decided to take an ancient instead of a modern language as one of his major courses; and, realizing that this decision of a moment might change the whole course of his life, I felt the great responsibility of the adviser. Even if there is a divinity shaping the ends of these boys and young men, who come of their own desires or driven of others' to the gates of the curricula, still is there a responsibility resting upon the best judgment that can be procured for the "rough hewing" of these ends. And a conspicuous if not distinguishing feature of the new Harvard plans is that this judgment and its advice are to be assured wherever the student has electives to make.

The changes proposed at Harvard do not limit the electives. They are as rich and liberal as ever. The student under the new rule finds his major courses at least, predestined of his Freshman choice, under the providence of a committee that is instructed "to make exceptions freely in the case of earnest men who desire to make changes at a later time. . . ." The effect of this is to put a number of fairly rigid curricula (of many permutations) side by side for election in the Freshman year, each curriculum being vertebrate, with a prescribed number of vertebræ. This differs from the Johns Hopkins plan only in that it has more vertebrate curricula, and from the Princeton plan in that it requires an earlier election (at the end of the Freshman instead of Sophomore year, though the Princeton student's final and later choice is conditioned to some extent by his selection of Sophomore studies). It is interesting to learn that of a thousand Harvard graduates, 1908-09, twenty per cent. would have had to make no change at all, if obliged to choose according to the new system, a large percentage only the slightest change,

and fifty per cent. a change in but one or two courses. The restrictions touch only or chiefly the two extremes: the highly specialized scholars who concentrate too much and so become too narrow, and the highly specialized athletes who distribute too much and so make their knowledge shallow. The elective system, in becoming "really systematic," has seemingly not seriously restricted the franchise of the great body of students at Harvard. So has the elective subject system become crystallized, by a little shaking, into an elective group system, with the elimination of the extreme divergents or their conversion to group types.

Harvard has protected herself from a sequela of the free elective system which is menacing the integrity of the college degree in many of the great universities. There are powerfully organized agencies at work to standardize the entrance requirements of all colleges, and yet they seem to countenance the college student's leaving his liberal studies at the end of two or three years, taking up his professional or technical studies and getting his arts degree when he has finished these studies. Harvard University stands champion of the American college in substantially confining the professional schools to college graduates and confessedly "aiming at the higher strata in the professions." There is no more encouraging note in President Lowell's utterances than that which expresses the belief that "the college of the future has a great work to do for the American people"—a college which "can give freedom of thought, a breadth of outlook, a training for citizenship which neither the secondary nor the professional school in this country can give."

President Lowell's paternalistic or fraternalistic plans for the Freshmen are appealing. I have an impression that the social, economic and educational tendency is to prolong the period of mental and moral irresponsibility in youth. But no one who appreciates the perils of the sudden transition from school to college methods and ways can think of the interference here as the unwise coddling of a nourishing mother. Heine speaks of looking upon people as animated numerals. That is the danger of the other extreme, the treatment of a highly individualized character, intellect or soul as an "animated numeral." It will be most interesting to compare the advantages of a horizontal preceptorial system at Harvard with those of the perpendicular preceptorial system successfully in vogue at Princeton.

I make this incursion into a neighbor's affairs with some reluctance. The college windows and transoms behind which I live have suffered most from the stones of kindly and not malicious ignorance. I have been persuaded to enter this symposium by a gratitude to President Eliot's service (which was prerequisite to the course academic opinion and practice are now following) and by my appreciation of President Lowell's attitude toward those who are "feeling their way toward a more definite structure" for the American college, and of his interest, first of all, in touching the visions of the young men of the college. His plans for his own College give support to his prophecy concerning the American college of the future.

JOHN H. FINLEY.

PRESIDENT LOWELL'S CHANGES.

THESE changes proposed, though on their face somewhat unrelated, do logically and unitedly concern one thing—the training of manhood, and by the two methods or forces of thinking and of personality. These changes, therefore, can be most effectively discussed in the light of general principles.

The primary intellectual purpose of the college is (1) to discover and to express truth and (2) to teach the student to think. With the second of these two purposes only have we now to do. To think: to see truth and truths, to relate truth to truth, to infer new truth, to judge, to weigh evidence, to compare, to assess a fact at a just value, to reason: that is to think. A secondary purpose of the college is to make the scholar. But it is not the purpose either primary, or secondary even, to create in the student a human cyclopædia of knowledge, nor a library of facts, be the facts never so important or interesting. To make the thinker is the comprehensive and fundamental aim.

It can be, I believe, laid down as a general law that the more extended the pursuit of a single course of study the greater is its worth in creating the thinker: and the less extended the pursuit of a course the smaller is its worth in creating the thinker. The elements of a subject make their first appeal to the memory. The young student must first learn facts. These elements do not and cannot quicken and enlarge thinking as do the advanced processes and relations. Therefore, the student who selects many and different subjects is inevitably and constantly obliged to

devote himself to elements and to facts. He is not able to think upon the great truths which lie in the higher and remoter relations of any subject. To illustrate: Mr. A. B. of Harvard College is obliged to take some seventeen and one-half courses, of three hours each a week, in order to get a degree. Let Mr. A. B. divide these courses among a dozen or more different subjects: he may take a single course in Latin, which he has already studied in the fitting school, and a single course in mathematics, a subject in which also he brings some preparation, a course in French or German,—of one of which he probably knows something,—in Spanish, in Italian, in chemistry, in physics of manifold relations, in biology also of many divisions, in geology, in history, in economics, in philosophy, in psychology, in sociology, in English literature, in composition,—to name only the more common subjects. Now, no reasoning is required to prove that Mr. A. B., electing a single course in each of these many subjects, is obliged to be content with a knowledge the most superficial. Such a knowledge is a knowledge of the simplest facts and represents an acquaintance with relationships that are of the most general character. Mr. A. B. has gained some knowledge, but he has created for himself little or no power as a thinker. He has gained no sense of mastery. He has a bird's-eye view, and he has added to his brain just about the weight of the brain of a bird.

On the other hand, and to illustrate further: Let Mr. X. Y. elect his courses largely in two or three related subjects. Suppose they are constitutional history, philosophy and economics. In this case he is able to have four or five courses in each, though the division would not probably be equal. What is the method and what is the conclusion? In the constitutional history of the United States and of England he is obliged to enter into the consideration of the forces and motives which have created these two great and diverse methods of government. He is compelled to seek out tendencies, to judge of movements, to estimate results. In his study of economics he finds one of the most complex sets of phenomena which were ever given to the brain of man to analyze and to understand. If in his quest he seek to relate economic phenomena with governmental, as he naturally will seek to do, he will find material which will quicken or train keenest insight, delicate discernment and widest powers of induction.

But now, furthermore, and in still continued illustration, suppose that our student, who is now Mr. C. D., does not elect his studies in three so broad subjects as constitutional history, philosophy and economics. Let Mr. C. D. elect his work in mathematical physics alone or in Latin only. What will be the natural consequence? The natural consequence will be that he will know a good deal about mathematical physics or about Latin: but he will not know much about himself. He will be able to think in terms of physics and of Latin, but his thinking will have largely for its content physics or Latin. He will not be able to think in terms of life and of what life represents. He will still think, but his thinking will be narrow. He thinks in *slits,* he sees the skies from ruts which he has cut out for himself and in which he is obliged to move.

Therefore, to what I said at the beginning, that the primary purpose of the college is to teach the student to think, should be added to think effectively. The resulting thinking should be deep without being narrow, broad without being superficial, accurate without being cold or unhuman, appreciative of all without being open to the charge of intellectual dissipation.

The question may emerge, What is the test of the condition when breadth of thinking passes over into dissipation, when depth of thinking becomes narrowness of thinking? The problem is critical. The test, I believe, lies at just this simple point: where thinking loses its human relationship and becomes of primary interest to itself, when it ceases to be humanistic and becomes technical. When Mr. C. D. in Harvard College, or any man in any college, finds that his studies are making him think in terms of mathematics, or in terms of chemistry, or in terms of economics, the time of his peril has come. He better avoid the peril of dehumanizing himself by electing philosophy in place of mathematics, sociology in place of chemistry and Elizabethan literature instead of economics.

It may be added, in bringing to a close this part of the discussion, that this endeavor of President Lowell to avoid at once the perils of intellectual scattering and of intellectual narrowness is an endeavor which has in many colleges been essentially avoided in one of two ways: by obliging students to take a group of related subjects, while allowing certain liberty in free electives; or, by requiring students, while permitting a large liberty of

choice, to take a few courses in certain recognized fields of knowledge. Harvard College has done a great work for all colleges in the last forty years in presenting and promoting the free elective system. Some of these colleges, which have never seen fit fully to adopt this system, may now be able to serve the cause of liberal education by showing the methods and by explaining the principles upon which they have been acting in teaching man to think. The new method proposed at Harvard is essentially old at many good and strong colleges.

The question of the segregation of the Freshman is not far remote from the question of a certain limitation of the elective system. For both matters are only methods for the training and enriching of character. In both, too, personality is a force used, although it is used more dominantly in the life which separate Freshman dormitories are designed to foster.

The most critical year of the four college years is the Freshman. It is made critical by the youth of the men, by their responsiveness to whatever is offered, by the newness of conditions, by the lack of friendships, by the want of certain standards, and the lack of certain supports of intellectual and moral character. Most of these Freshmen are for the first time absent from their homes. The majority have come from the high schools of their towns or cities. Relatively few have come from such collegiate schools as Exeter or Andover or from what may be called the cloister schools. Those who are graduates of the collegiate Phillips Academies are not new men in any such sense as are the men who come from the high schools of their own home towns. These new men need—what? They need a home. And what is a home to these new men? It is primarily friendship: friendship sane, wholesome, quickening.

Such friendship may be furnished in one or all of at least three ways. It may be provided by upper classmen. The upper classmen represent an influence for and in the college over the Freshman of incalculable value. It is an influence which those upper classmen have not fully used, and of the potency of which they themselves seldom have a just appreciation. The college authorities, too, have not promoted its usefulness. It is a great reservoir of noble influence for the new men. A second source lies in the fraternity. At Harvard College the fraternity system is not developed as at most colleges. Perhaps it is just as

well that it is not so fully organized. But in most colleges the fraternity house is a home to Freshmen, and the members of the fraternity are their brethren. The secret-society system has ceased, the fraternity system has come in; and the change in fact is not less significant than the change in name.

A third source of influence for and over the Freshmen, and one which would normally have much worth for the Freshmen of Harvard College, is found in the presence of proctors, or advisers, or monitors, who lodge and live in each dormitory. Such resident officers are supposed to be friends to each Freshman living in his hall or on his stairway. But here is the rub, the point of difficulty, in any segregation of Freshmen. Stone walls will not defend Freshmen from intellectual or moral disintegration; a friend may. To get friends of the desired character for these Freshmen represents the most serious,—and its seriousness cannot be overestimated,—part of the large and complex problem. To get men of the type which Arnold wanted as his teachers at Rugby, of the type which Mr. Robert wanted forty years ago for his international college at Constantinople, has been, is and I suppose always will be a mighty struggle. Men whose intellects are large and rich, but whose hearts are neither gushing nor cold, men who are able to differentiate between a principle and a minor rule, men who have a conscience but who are not obstinately conscientious, men whose love for truth does not cause them to lose their love for boys, men who are great and strong in character, but who also are sympathetic, men who are a proper combination of both the mother and the father: such men it will be gravely difficult to secure. But such men put at the head of dormitories for Freshmen, with not over a dozen students under the care of each, would represent a mighty increase in the best influences of Harvard College, or of any other college, that seeks to transmute noble youth into noble men.

CHARLES F. THWING.

THE CARE AND CULTURE OF FRESHMEN.

IT is generally recognized that the most pressing problem of higher education in America to-day is the care of the under classman, the Freshman, and the Sophomores. We have been made acutely aware of our deficiencies, real and imaginary, in the matter of scientific research, and a great effort has been made to

remedy our defects in this regard, or to conceal them, which, to some minds, is equally satisfactory. The young instructor has been urged to place as many printed pages as possible to his credit, and in doing so has been encouraged to look with scorn on the "mere teacher" who cares for the intellectual welfare of the students without making himself "known in Germany." In so far as this movement was earnest, a real desire to promote scholarship and to encourage zealous men to do their part to widen the boundaries of knowledge, it was a movement thoroughly good; but in so far as it tended to encourage pretence, publication for publication's sake, and to discourage good teaching in colleges, it has been rightly discredited, and a reaction has already set in. In any event, we must recognize that all scholars must pass through a larval stage, and that research students and advanced students of all types must, at some time, have been Freshmen. On the excellence of their Freshmen training their superstructure of higher work must, in large part, depend.

It is, moreover, becoming recognized that the whole question of the training of the lower classmen depends on personal attention. We cannot expect individual development from "students herded like sheep on an Australian farm." It is necessary for some one to "know each one by name," to recognize his individuality, and to visualize his possibilities.

The "care and culture" of Freshmen naturally divides itself into two elements, training in personal habits and training in scholarship. Training in personal habits must be effected by some positive method, requiring action and vigilance. There is no way of obtaining results without effort. The German system of "laissez faire" in University discipline, each student to do as he pleases, and no questions asked, will not suffice in America. Our students enter the University two years lower than in Germany, as measured by scholastic requirements, and their previous training is not that of the iron drill of the gymnasium. The system of "laissez faire" does not work well in Germany, where there is already a strong movement towards moral discipline in the Universities. The wanton waste of life and character in these institutions has been simply horrifying. Bismarck is quoted as saying that, of the German University students, "one-third drink themselves to death, one-third die of overwork, the others govern Europe."

In brief, the college must furnish its lower classmen with advisers of some kind, men who come near the students, men whom the students can trust, and who, at the same time, are in touch with the highest ideals the University teachers represent. Half the weakness and folly of college students comes from their not knowing any better. If they knew where their professors stood in moral questions, they would tend to stand with them. Hence the importance, for the sake of morals, that the teachers should know the students, and that they should feel personal responsibility for them.

This is, of course, not that the professors have something to learn from the student or the student point of view. They do learn from this sometimes; but the main thing is that students should know the professors' point of view. If they have a chance to find out what it is, they will soon come to respect it.

The professors cannot be police officers, nor employ police methods. This goes without saying. It is necessary, on the other hand, that they should stand strongly against the student vices, against cheating, gambling, dishonest behavior, yellow journalism, and all forms of alcoholic conviviality. Whatever one's views as to beer and wine may be, there is no question that the lighter alcoholics are the curse of college life. Their use to promote good fellowship among students is most fatal to everything which should be characteristic of University training. From the "beer-bust" of the College to the red-light district of the town, the way is short and straight, and thousands of young men find themselves ruined for life from a single night of excesses.

The College fraternity and its chapter-house constitute an agency which may be used for good, a means of civilization with which college faculties should co-operate. But most college faculties "fight shy" of these organizations, letting them take their own courses uncontrolled, because to direct them aright is a matter requiring tact and effort. For that reason, many chapter-houses, East and West, are centres of corrosion, of idleness, drunkenness, and worse. The whole fraternity system is in bad repute, because of its abuses; and for these abuses the apathy of college faculties is wholly responsible. The entire matter is under the control of the colleges. In these matters, as in the abuses of athletics, our college authorities assume a curiously detached attitude, as though these were evils of the age beyond their power of

abatement. Yet they have all the authority there is. There is no evil in college life which is not there through the negligence of those who occupy the place of control.

It does not matter in these cases what rank the advisers of the Freshmen may hold, so long as they are adequate for their task, so long as they have faith in their own teachings, and the courage, tact and sympathy necessary to make their efforts effective.

The details in the case are of minor consequence. In Harvard, it is proposed to segregate the Freshmen, that they may be trained by themselves, without the disturbing influence of the upper classmen. In other institutions, the Freshmen are more or less purposely mixed with the upper classmen in order that the latter may help them by their wider experience, and that this responsibility may react by giving the upper classmen themselves more serious views of college opportunities. Mere segregation of the Freshmen has no special value in itself. If Freshmen and Sophomores could be given a group of detached buildings in some suburb not too far away, at Andover, let us say, while the University is at Cambridge, it would be a most interesting experiment. In such case the equipment of books and apparatus might be scanty. The real test would be in the selection of these teachers. These should be not newly fledged doctors of philosophy, but men with whom the training of youth is a chosen life-work. In such a segregation of class room and dormitory, and a standing apart from the crowd, there would be many elements of advantage; but to the brightest students there would be disadvantages as well. Such men look forward beyond the day, and the libraries and laboratories of a great University may be an inspiration even to a Freshman. Men work better when they see a goal ahead. Besides all this, all class emphasis of the colleges is laid in the wrong place. We have already too much of class spirit, class loyalty, and the friendships and enmities which have only an imaginary basis.

Whatever the system of handling Freshmen, there should be an evident purpose behind it, and this purpose should be a moral one. There should be a constant effort for the repression and extirpation of vice, and the reason should be made clear that vice is destructive to manhood. It is an incentive to manliness for a boy to see that the college values manhood. It adds to his respect for higher education to see that his teachers are not cowards, but

that they are ready to set themselves squarely against abuses in student life, whatever the pressure of tradition or sentiment.

The question of scholarship hinges likewise on personal attention. If the teachers do not seem to care, the habit of carelessness will grow among students. In our college curriculum in the past thirty years, we have seen about four distinct stages. The first is the classical stage, when each student was supposed to become, in a degree, a specialist in Latin and Greek, with a dash of higher mathematics for mental strengthening, and a little of outworn philosophy to give him a proper attitude towards life. The course was based on a consistent theory—that of the literary value of Greek, which deserves every good thing ever said in its favor—that of the practical and disciplinary value of Latin and Calculus, which was more or less exaggerated. The general idea was that no other combination was quite the equal of this for bringing out the intellectual possibilities of the growing student.

All this was prescribed work, the student taking what was before him and asking no questions. The great body of young men passed by on the other side, entering on life without college training, and became self-made men.

The second condition I have called the patchwork stage. The progress of science demanded attention in our scheme of higher education; and not one science, but a dozen. The modern languages have each a literature demanding the attention of the scholar, while each in turn was insistent as a necessary tool in every learned profession. Economics arose from the position of a discredited branch of philosophy to be a curriculum by itself, and the aggregate demand of all these broke down the discipline of the classical régime. One subject after another from the modern list was inserted, crowding out a corresponding portion of the ancient discipline. Greek, the most valuable part of it, was first to go, while Latin and Mathematics were condensed into smaller and smaller space.

Then different courses of prescribed study took the place of the single course. The omission of Greek, by a singular freak of nomenclature, stamped the course as one in Philosophy. The omission of Latin marked a course in Science, and then, to intensify our troubles, arose the need for courses in Engineering, and these, too, culminated in the degree of Bachelor of Science.

The failure of the patchwork system was speedily evident. It is

not possible for a student to know much of anything when he is required to know a little of everything else. The thorough knowledge of something is the backbone of education. To know some one thing well, it does not matter so much what it is, is to gain self-respect. It gives a base-line by which one can measure the attainments of others. It helps us to "know a good man when we see him," which William James has declared to be one of the greatest aims of higher education. Sound knowledge of any kind preserves its possessor alike from assertive vanity and from limp humility. Moreover, no prescribed course of general culture was found possible. No educational leader, still less no consensus of educational philosophers, could decide what subjects would bring culture to men they had never seen.

A prescribed course in Engineering, or in any field in which one subject follows another, and each is dependent on the preceding, has the respect of the student. He can see the causes which control, and he can see the end to which the work leads. No one complains of prescribed courses, when the relation of subjects to the final end makes the prescription natural and inevitable. No medical student complains because Anatomy, Physiology, Chemistry, Pharmacology and Bacteriology are prescribed. No student in German Literature complains that the grammar comes before Faust or Nathan der Weise. A prescribed course, where the parts are not inevitably interrelated, is an outgrowth of educational laziness and apathy. It is the acme of neglect, and whatever else we may do in the way of educational reform, we shall not return to prescribed courses of general culture.

The natural breakdown of the patchwork system made the elective system inevitable. There was so much to be learned that some one must choose which to take and which to omit. The right choice was the one associated with the personality of the student. The task of choosing is of itself an education, and as more depends on the teacher than on the subject, the student, after all, is the one to decide. It is for his interest to seek the most helpful subjects, to find the most helpful teachers.

And with the elective system established in whole and in part, the Universities and Colleges grew by leaps and bounds. Enthusiasm came back to the class-room, teachers improved as well as scholars, and the Universities found themselves as in a single night strong, popular, and populous.

And with those who wanted a college education, and wanted the best, and having Lernfreiheit, found what they wanted, came those who wanted nothing but sport, social prestige and access to the University Clubs. As the strong men used their freedom to their own advantages, so the idlers and "the tender rich" used the elective system to secure the name of education without its substance. The gigantic cancer of the professional coaching system grew up in the great college to help this condition along. It was an evil of the elective system, that men could use the system to avoid its function. Yet, as President Angell has pointed out, no system ever made effective the college career of idle and dissolute men. They got but little out of the elective system. They would have got as little out of any other. The remedy lies not in the change of the system, but in getting rid of this type of men, and of the coaching system which makes their continued existence in college possible.

But there is room for improvement in the elective system, and that lies in the direction of personal sympathy and personal advice. No educational advancement comes from forbidding a man to do work he wants to do. The right direction of control is to lead a man to take what he ought to want, and the first thing he ought to want is a definite line of operation. He wants a vertebral column to his education. He should choose his specialty early, and then build up his training to this specialty and around it. He should master the group to which it belongs, and he should master other and perhaps distant groups if these are needed for his final effectiveness.

In this, he needs advice, and his adviser should not be taken by chance, but should be some man who has succeeded where he hopes to succeed.

The new system at Harvard is a useful aid to the elective system, not a check to it, for checking never aids scholarship, but a feature of strengthening guidance. The student is led, not driven, to choose his field, to block out his course and to move forward to his chosen end.

The life-work of the student is chosen under advice, and this is the strong point of this system. To offer prescribed courses is simply to abandon control to tradition. To allow absolutely free election is to leave the student to his own devices. An elective course, taken under constant advice and supervision, enables

the teacher to enter actively into the student's life. Its value depends on the seriousness and intelligence the adviser displays.

The writer does not think well of the system of student advisers (locally known as "nurses") in vogue at Harvard. This staff is composed, as I understand it, of young instructors, among whom the Freshmen are distributed alphabetically or in some other arbitrary fashion. The adviser should be a man whose aspirations are in line with those of the student, but more far-reaching. A young chemist needs an older chemist as his adviser, not a student of Italian art or Scandinavian poetry. Moreover, it is questionable whether the general management of a committee of professors is as effective as the system of holding each of the different departments responsible for its own.

In Stanford we have reached the ends sought at Harvard by machinery a little different. We think our way, on the whole, the better, else we should have taken some other, being free to choose. Ours is known as the Major Professor System. Each student on matriculation chooses his "major subject" or department. The professor in this subject or some other member of the staff, as the work is divided, becomes his adviser in all educational matters. The adviser of the chemist is a professor of Chemistry; of a Latin major, a professor of Latin. A certain percentage of the work for graduation, usually about one-third, is taken in this major subject, or in closely related subjects, to be indicated to each student individually on learning his powers and his tastes. Other subjects collateral, or even remote, may be required at the professor's discretion. In general, however, the work is freely elective, but each term's study card must bear the professor's approval. The student can change his major subject at any time, but must then make up the back work in the new department chosen. This scheme makes the professor an active factor in the education of the student. Its success is in proportion to the thought the professor gives to it. It ensures continuity of purpose without losing any of the desirable flexibility of the elective system. It has been in operation at Stanford University for nineteen years; and still longer in Indiana University and elsewhere. In some form, the system which makes a major professor the student's adviser seems to me to form the most practicable and most desirable adjunct of the elective system.

DAVID STARR JORDAN.

THE POST-OFFICE AS A DEPOSITORY FOR SAVINGS.

BY HON. THOMAS H. CARTER, UNITED STATES SENATOR FROM MONTANA.

ABOUT the year 1807 an agitation for the establishment of postal savings-banks began to interest the people of Great Britain. This agitation was continued until, under the leadership of Mr. Gladstone, the postal savings system was established by Act of Parliament in the year 1861. Throughout the fifty-four years of discussion British bankers and masters of finance resisted the postal savings-bank for substantially the same reasons which have been urged against the adoption of a like system in this country. However, the postal savings system operated in such a satisfactory manner in the United Kingdom that it was in due time adopted by France, Austro-Hungary, Italy, Sweden, Russia, Belgium, the Netherlands and the colonies and dependencies of such of these countries as have possessions beyond the confines of the parent state. Chile is experimenting with the system and Brazil has recently enacted a postal savings law.

No backward step on postal savings has ever been taken in any of the countries named. After the lapse of twenty-seven years, Mr. Gladstone, the promoter of the legislation in the British Parliament, made the following statement in the House of Commons in the year 1888:

"The post-office savings-bank is the most important institution which has been created in the last fifty years for the welfare of the people and the State. I consider the Act of 1861 which called the institution into existence as the most useful and fruitful of my long career."

The system has operated successfully in countries of limited area and dense population and in countries, such as Russia and Canada, of extensive territorial area and sparse settlement. It

has operated successfully under all forms of government and under all conditions, climatic, territorial and otherwise known to men. Notwithstanding the overwhelming proof of success afforded by accumulated and varied experience, the effort to establish this system in the United States has met with very determined opposition. It is conceded on all hands that the tendency of the system is to encourage thrift and a saving disposition amongst people of small means; and every one admits and no one denies that it is the interest of the people and the interest of the Government to foster and develop such habits. Much of the opposition proceeds from ignorance of the subject, mistaken self-interest and wide-spread misrepresentation. Many volumes could be filled with statements of the grotesque reasons assigned for inaction or to justify hostility. The American Bankers' Association, for instance, sent out a typewritten circular a short time ago averring that it was unwise to establish the postal savings system in this country, because it would lead to the development of bands of robbers in the South and West having the robbery of the post-offices as their objective.

A person of high station made a calculation showing the enormous investment in burglar-proof safes which would be made necessary by the establishment of postal savings depositories. Absurd estimates of the amount of money likely to be deposited at the post-offices have been put forth with apparent seriousness. One individual concluded that nine billions of dollars in cash would be deposited in the post-offices, or three times the total coin and currency in circulation throughout the United States.

It was in the presence of opposition based on just such weird imaginings and fancies that the Senate of the United States considered the postal depository bill for over seventy days during the Sixtieth Congress and for the last sixty days of the present Congress. Let no one suppose that every legitimate objection to the postal savings system was not presented with zeal and ability in the course of the debate; and yet, after full and free consideration, the Senate by more than two-thirds majority passed the Act which is now awaiting consideration in the House of Representatives.

Since a copy of the Act may not be possessed by every reader, it seems proper briefly to outline the important features of the measure. To begin with, the Act provides for the establishment

of a postal savings system, to be under the management and control of a board of trustees consisting of the Secretary of the Treasury, the Postmaster-General and the Attorney-General acting *ex officio*. This board is authorized to make all needful rules and regulations for carrying out the provisions of the Act in reference to the receipt, transmission, custody, investment and repayment of moneys received at postal savings depositories. Each money-order office in the United States is made a postal savings depository subject to the proviso that in the beginning the Postmaster-General may restrict the depositories to the so-called "Presidential" offices, about 7,500 in number, and thereafter extend the system as rapidly as practicable to all remaining money-order offices, approximating 43,000 in number. When finally installed the system will be operated in over 50,000 money-order post-offices.

Any person of the age of ten years or over may become a depositor, but no person shall be allowed to deposit more than one hundred dollars in any one calendar month nor more than five hundred dollars in the aggregate, nor will any person be permitted to have more than one postal savings account.

Deposits must be made in sums of one dollar or multiples thereof, but smaller sums can be saved through a card-and-stamp system which will allow accumulations up to one dollar, when the card and stamps thereto attached can be presented at the post-office for deposit. Interest will be paid on deposits at the rate of two per cent. per annum, and deposits may be withdrawn on demand, subject to such rules and regulations as the board of trustees may prescribe.

Up to this point no serious controversy was encountered by those urging the passage of the bill. With the desirability of affording people of small means an opportunity to accumulate with the assurance that their savings would be absolutely secure and available when needed, no one has been found to take issue. That the wide-spread facilities afforded by the post-offices will reach closer to the people than any other system could be made to reach no one denies. That the opportunity to save with a Government guarantee of repayment would, through this system, be extended to the remotest parts of the country to the great benefit of thousands, yea millions, of people who are now without any inducement to husband their earnings is too apparent to be

called into question. The aggregate amount which ultimately would accumulate in the depositories is a matter of pure speculation. In the United Kingdom the postal savings total over seven hundred million dollars, and the average amount to the credit of each depositor is about seventy dollars. But it must be remembered that the British Post-Office Savings-Bank has been in operation for forty-nine years. Its growth has been healthy and continuous, and there have been no violent fluctuations of any kind. Established in 1861, the total balance due depositors at the end of 1862 was slightly less than nine million dollars. From 1863 to 1868 the average balance was thirty-five million dollars; from 1869 to 1874 it was ninety million dollars; from 1875 to 1880 it was one hundred and forty-five million dollars; from 1881 to 1885 it was two hundred and ten million dollars; from 1886 to 1890 it was two hundred and ninety-five million dollars; from 1891 to 1894 it was three hundred and ninety-five million dollars. The increase has continued in substantially the same ratio until at the end of 1908 the total savings of depositors was $781,791,533. It is reasonable to assume that after the lapse of many years the deposits in this country would equal if not exceed those of the United Kingdom.

The manner of disposing of the money thus accumulated has always been the chief source of contention in and out of Congress. Other Governments, as a rule, use the postal savings funds for the payment of current expenses or for investment in consols, bonds or other securities of the Government. The use of our bonded indebtedness as security for national bank circulation leaves this line of investment too circumscribed, and, moreover, it has been forcibly contended, and with reason, that, owing to our vast territorial extent, great hardship and inconvenience would follow the process of draining each community of the ready cash which would be placed on deposit at the post-offices. It is equally clear that the deposit of these funds in central reserve cities would be undesirable for the reason stated. To meet this objection, the Act provides that postal savings funds shall be deposited in any solvent bank or banks organized under national or State law and subject to public inspection and examination doing business in the neighborhood in which the post-office is situated. These banks must be not only solvent, but must give indemnity bonds or collateral security satisfactory to

the trustees. If more than one such bank willing to accept this money exists in a town or city the funds shall be deposited ratably as nearly as practicable. These deposits in the banks shall be subject to payment on demand and interest must be paid upon them by the banks at a rate not less than two and one-quarter per cent. per annum. Should the banks in any State or Territory refuse to receive the deposits on the terms and subject to the conditions prescribed, the same may be deposited with the Treasurer of the United States, who is made the treasurer of the board, and money so deposited may be invested in bonds or other securities of the United States. In time of war or other exigency involving the credit of the Government the board may withdraw all or any part of the funds from the banks for investment in bonds or other securities of the United States bearing not less than two and one-quarter per cent. interest per annum.

All penal statutes enacted to protect postal funds and money-order funds are made applicable to savings-bank deposits. The Act is to go into effect the first day of the third calendar month after its approval. There are many administrative details provided for which it is needless here to recapitulate. The fundamental features of the Act are substantially as set forth.

It will be perceived that the financial equilibrium cannot be in any sense disturbed by the operation of this system. Every locality will not only have all the ready money usually available for commercial transactions, but it is confidently believed that a large number of small sums aggregating a very considerable amount of money which is now in hiding will be brought forth and placed in the channels of trade. Many people who have no confidence in banks have the most implicit faith in the Government and will readily intrust their savings to its care. Of the three billions of coin and currency composing the money circulation of the United States, it is estimated that one billion dollars is constantly in hiding, and in times of panic or financial disturbance the proportion of idle money is even greater.

The most extravagant claims have been made as to the additional expense which it is predicted will be "saddled upon" the postal service by the postal depository system. One who claims to be an authority has said that a bookkeeper at $900 per annum would be needed at each of 50,000 post-offices the moment the Act went into effect. By a simple arithmetical process it is

seen that this would mean an additional expenditure of $45,000,000. The absurdity of this estimate is shown by comparison with the establishment of the system in Great Britain. The work was there commenced with the detail of a few clerks from other divisions, and after the system had been completely established it was found that only seventy additional employees were required to conduct the business. Extra men are needed for a brief time each year for the computation of interest, but that extra work could be taken care of readily by temporary details of the clerical force. It has been alleged that the present force of the Post-Office Department and the post-offices of the country would not be competent to transact postal savings-bank business. This assumption is readily disposed of by reference to the fact that the postmasters and clerks in post-offices now handle over $500,000,000 of money-order cash each year, and in addition thereto more than $200,000,000 of regular postal receipts, to say nothing of the large disbursements made. The institution proposed by the pending Act will only entail the simplest kind of cash transactions. The postmasters will receive deposits, receipt for the same and deposit the aggregate receipts each day in bank. Applications for repayments will, of course, be filed with postmasters, to be transmitted to the central accounting offices, where the books will be kept and where checks will be drawn on the local banks to pay depositors.

To the charge that the proposed system would be paternalistic, it is quite sufficient to answer that the whole postal service is in the same sense paternalistic. Post-offices and post-roads are established and maintained under constitutional authority for the benefit and convenience of the people. The registry system and the money-order system but extend the beneficent purposes of the service, and the postal depositories will embody only a further extension, which will prove of incalculable benefit to the body of the people for whom our Government exists. In no accurate sense can the proposed depositories be considered an invasion of the field of commercial banking. It is true that the Government will receive deposits at the post-offices and will jealously guard and promptly repay such deposits on demand, but the system will not embody any of the general features of a regular banking business, such as discounting paper, issuing bills of exchange, or other forms of accommodation to which the facilities

of commercial banks are devoted. Far from being a menace to our banking system, the postal depositories will tend to give greater stability to the financial operations of the people by insuring the constant use of all our coin and currency in the service of the business of every locality. The frequently recurring money panics from which we have suffered from the beginning have been more destructive than the wars in which we have been engaged. The financial disorders which have resulted in panics from time to time have been born of fear and distrust. On the approach of danger or disturbance the timid now withdraw deposits from the banks and the money goes into hiding. The experience of the past in this particular will be repeated in the future until we provide some depository in which the vast army of wage-earners and others of small means have absolute and abiding confidence. When the postal depositories are made available, persons whose confidence in the banks is shaken may withdraw their deposits and these deposits will be immediately turned over to the postmasters rather than, as heretofore, rendered useless and insecure in hiding-places. The postmasters in turn will, under the law, promptly deposit the money thus received in the banks. It follows, therefore, that the postal savings system will be a powerful agency working most efficiently to preserve the equilibrium in time of financial disturbance.

Finally, this system will beget interest in and devotion to the Government. It will develop patriotism and increase respect for law and order, and it will extend to the masses of the American people the benefits of a system which has proven a blessing to the people of every country in which it has been established.

THOMAS H. CARTER.

THE POSTAL SAVINGS-BANK—A SUGGESTION.

BY HAROLD STONE.

THE Postal Savings-Bank Bill has been passed by the Senate as an attempt to satisfy a recognized need for increased savings-bank facilities. It is the purpose of the writer to show the importance and character of savings-banks as now established, the advantages and disadvantages of the proposed postal system and to suggest another plan that might be substituted for the one now under consideration by Congress.

The need of the individual for a safe place for his valuables was recognized long before money was used as a medium of exchange. It was not, however, until the value and earning capacity of money as a commodity were recognized that banks were established. In the year 1810 the Parish Bank of Ruthwell was started in Scotland by the Reverend Henry Duncan. This was organized for the purpose of encouraging thrift among the residents of the parish. It undertook to receive and pay interest on deposits of wage-earners, servants and others, accepted deposits of almost trivial amounts and proved to be quite successful. It was purely a benevolent institution and all money received was paid back to the depositors together with its proportionate share of the earnings. The Ruthwell Bank was probably the first savings institution formed in an English-speaking country, although prior to its formation an English clergyman had received deposits every Sunday evening during the summer and repaid them at Christmas with an additional amount given as a premium for the thrift shown by the parishioners. The clergy played a most important part in the early history of these institutions, both in England and in this country, which perhaps proves that the depositor considers honesty more important than business ability.

In this country the first savings institutions were formed in Pennsylvania, Massachusetts and New York in 1816. The moving cause for the formation of these banks and of all the subsequent ones that have proven successful was an aroused public spirit desirous of encouraging thrift among the poorer classes. They are designed to meet the requirements of the man who has a small remainder after what he has been obliged to expend for the maintenance of himself or family. This type of man has not usually the knowledge or the opportunity to invest his surplus safely, and even if he did acquire the knowledge his amount would be so small that he could accomplish little. It is the purpose of the savings-bank to combine these small amounts, to safely invest them, to divide the interest earned on the combined amount proportionately among the owners. There is probably no class of persons in the world who are as careful of their money as those for whom these banks are organized. A hundred years ago the parish clergyman could ask for deposits and get them because he was personally known to each depositor, but now with our complex life this is out of the question and it is necessary to find a substitute. This has been done, or attempted, by the various State Governments, and has proved successful in direct proportion to the strictness of the laws made to protect the depositor.

It would not be profitable to analyze the laws of the various States in an article of this character. They differ in a great many particulars, but in a general way the laws of the State of New York fairly typify those of other commonwealths. In this State no individual is permitted to draw interest on a deposit in excess of $3,000, so that the depositors are practically limited to persons of moderate means. The banks are managed by trustees who serve without compensation and are not permitted to borrow directly or indirectly from the funds of the bank and are not allowed to share in any of its profits. Furthermore, the original trustees have to be of a character satisfactory to the Superintendent of Banks, and the Board is self-perpetuating. No one who has taken advantage of any insolvency act or who has permitted a judgment to remain unsatisfied for more than three months is qualified to act. The trustees are required to regulate the rate of interest paid upon deposits in such a manner that the depositors shall receive as nearly as may be all the profits after deducting

necessary expenses, but they are permitted to accumulate a surplus to guard against possible losses. If the surplus exceeds an amount equal to fifteen per cent. of the deposits the excess must be distributed to the depositors. From this it will be seen that the trustees have every inducement for safe and conservative management, and the temptation of personal profit is entirely lacking. This is the assurance given of the honesty of the clergymen of the early times.

The matter of the investment of deposits is equally well guarded. In a general way the investments are limited to Government or municipal bonds, real-estate mortgages and certain railroad bonds. Such banks cannot discount paper, loan on collateral, furnish money for manufacturing or other enterprises or take any of the ordinary business risks. The deposits are considered strictly as trust funds and all investments must measure up to certain fixed standards. Only a certain proportion of the funds may be invested in any one class of securities. The trustees are required to invest all moneys deposited as soon as practicable, but for the purpose of meeting current payments and expenses in excess of receipts they may keep an available fund not exceeding ten per cent. of the deposits on hand or on deposit in any bank in the State. The amount so permitted to be deposited is limited in proportion to the capital and surplus of any such bank. Moreover, savings-bank deposits in any State banking institution are given a preference over other deposits in case of insolvency. The deposits in the savings-banks are protected from any sudden large withdrawals or "runs" by the privilege of demanding notice in advance of any or all withdrawals.

To the honesty of the early-time clergymen we now have in addition the element of careful investments. The combination seems to have given to the public what it requires and has led to the formation of successful savings-banks. These banks have encouraged thrift and prosperity among people of moderate means and have accumulated vast sums that are themselves of great benefit to the public, as under the laws governing their investment they must perforce be used to build up and maintain the welfare of the various communities.

Thus we come to one other function of savings-banks that has become almost as important as the service they render to the depositors. That is the service rendered to borrowers. In the

Eastern States thousands of persons have become landowners and home-builders solely because of the mortgage loans obtainable from these institutions.

In all places that they reach not only is thrift encouraged, but men become taxpayers, and as landowners vitally interested in the welfare of the community. Many are the public schools and other public improvements that look to the near-by savings-banks for their financing. The assistance given to the railroads and to the municipalities outside of the local field is important, but the principle of using the money at home is so strongly intrenched in most banks that such securities are only bought when the local demand does not equal the supply of available money. This custom of supplying home requirements has helped their popularity wonderfully and contributed much to their success.

There have been something over six hundred such banks established in the United States and they are uniformly well supported. Of this number four hundred and sixty-two are in the four Eastern States of New York, Massachusetts, Connecticut and Maine. Their importance in these States may be gauged from the fact that there is not enough money in circulation in the whole country to repay their depositors. There is not enough gold coin in the country by over $150,000,000 to pay off the depositors in the one City of New York. The average deposit in Massachusetts is over $360. If the deposits in the State of Connecticut were divided among its population every man, woman and child would receive over $250. In the State of Maine one person out of every three of the population is a savings-bank depositor.

The success of the savings-banks in these States shows clearly that there is a need for them in the East. In the Southern States there is only one mutual savings-bank. It has about five thousand depositors. In the Middle Western States there are twenty-one composed of 224,000 depositors. There is none in the Western States and only one in the Pacific States, which has nearly 76,000 depositors.

This need of the people has been recognized, and it is proposed to satisfy it by enacting the Postal Savings-Bank Bill. Will the provisions of this bill meet it satisfactorily? The important features of the bill are that the post-offices throughout the country are authorized to receive deposits of savings and that the Government will guarantee to repay them to the depositors together

with interest at the rate of two per cent. a year. The accumulated deposits may be deposited in the neighboring national banks, in which event the national banks are to pay interest at a rate not less than two and one-fourth per cent. and are to guarantee the repayment either by satisfactory collateral or by a bond of indemnity. In addition the deposits are given a preference over other deposits in case of the insolvency of the national banks. In case the funds are not thus deposited they are to be placed with the Treasurer of the United States and invested in specified securities under the direction of a committee which it is proposed shall consist of the Secretary of the Treasury, the Attorney-General and the Postmaster-General.

The bill provides that no one can deposit a larger sum than five hundred dollars, the purpose being to limit the system for the use of wage-earners and persons of small means, and this feature, coupled with the low interest rate, it is expected will do away with any competition with the existing savings-banks. In its progress so far the bill seems to have met with objections and unfavorable comment not only in Congress, but among many prominent men and intelligent bankers. It is a surprising fact that practically all of the objections are limited to the particular kind of plan at present proposed rather than to the general proposal of establishing some savings-bank system. There is no question that the ability to make use of the thousands of post-offices already organized would hasten the development of any savings system, and this feature of the bill seems to be accepted as one of its strongest and least objectionable parts. The main criticism of this part of the bill seems to be that the loss of money in the post-office business each year is a warning that the Government cannot run any business economically. This may be true as to the post-office business, and it may also be true that in the long run the Government could not collect savings so well as a private organization. In the inception of the plan, however, it is hard to see how any other system could be so successful.

The feature of guaranteeing the deposits does not seem to be so free from objection. Aside from a serious question of constitutionality involved, it would seem an unnecessary burden to place on the nation, especially in view of the fact that similar institutions have proved successful without any such guarantee. The Government should throw every safeguard about the funds

collected and should perhaps guarantee good faith in the same manner as any other business organization would do, but further than this it should not go. It does not seem right that the rest of the nation should become liable for any possible loss sustained by the bank depositor unless the Government is at fault in some such way as would make an individual conducting the same kind of business liable. The bill fixes the rate of interest to be paid at two per cent. It is probably right that the rate should be the same for the entire country if the Government is conducting the business, for it would seem that the sovereign power should treat all its citizens alike. If any rate has to be fixed, two per cent. is probably as good as any other. The idea of a fixed rate, however, seems to violate the fundamental idea of a savings institution, namely, that the depositor should receive all his money earned, less the necessary expense of investment. In the East the depositor's money may not earn much over two per cent., but how about the South and West? In the New England States the average interest rate paid by national banks is 2.66 per cent. In the Western States it is 3.69 per cent., and the rate in the South is but little lower than that of the West. The West and the South are the portions of the country most in need of savings-banks. Is two per cent. a fair rate to pay their depositors?

Assuming that these objections can be overcome and granting that the Government has the most satisfactory means for collecting the deposits, the question of their investment remains. The plan to redeposit with the local discount banks is an attempt to keep the funds at home and is thus an attractive element, but would the attempt be successful? These banks are organized primarily for personal profit, and as the management will use the money in whatever part of the country it will bring the largest return a large portion is bound to find its way to the money centres of the country. It would undoubtedly be a great benefit to these banks and would through them probably help local business enterprises to some extent, but it is hard to see where the home-builder or landowner would derive any benefit, for national banks are prohibited from loaning money on real-estate mortgages. Of course the national-bank act might be changed so as to permit investments in this class of securities, but this would be contrary to the fundamental idea of a national bank, which is a bank of discount and should have all of its invest-

ments in the form of quick assets and not in long-time or permanent loans. Aside from this, it must necessarily give a private profit on savings funds, which is contrary to the fundamental idea of giving all the profits to the savings-bank depositors. The giving of a private profit would destroy a most important element in the attraction of deposits.

The six hundred-odd mutual savings-banks in the country pay an average interest rate of 3.85 per cent. If the discount banks were as conservative in their investment of the savings funds as the present savings-banks they would even then be paid over one and one-half per cent. a year for taking care of them. It would appear that the Government might be in the position of saying: "In order to encourage thrift among our citizens of moderate means we ask them to deposit their savings with us. We only charge them a commission of one and three-quarter per cent. a year for taking care of them. Our charges, to be sure, are six or seven times as much as those of other banks that are successfully operated by public-spirited citizens, but then we have to contribute one and one-half per cent. a year to the stockholders of the discount banks and also we guarantee our citizens that we will give them back their deposits."

The other method of investing the deposits as set forth in the bill is better than this, in that it removes the personal profit element. It is the same, in that it does not give the depositors all of the income over expenses. It is worse, in that it removes all chance of the money being used for local purposes. There is a still further difficulty, owing to the fact that it turns over to men who are not of necessity experienced investors the investment of an enormous amount of money. In fact, it would probably be so large an amount that no such committee could possibly devote the necessary time to its proper investment, no matter how experienced its members. It is problematical what this sum would amount to, but if the plan proved to be successful there are methods of forming an opinion. For instance, the average savings-bank deposit per capita of population in the New England States is about $220, and the average per capita wealth of these States is about the same as the average for the rest of the country. If the per capita of population deposit in New England were taken as an index of the entire country and (on the theory that the present savings accounts would remain as they are) from the

total thus produced were subtracted the present amount of savings accounts in mutual savings-banks ($3,338,763,704), stock savings-banks ($495,178,367), national banks ($756,870,969), and State banks ($593,551,084), there would remain a total of about twelve billions. This index may be too large because of the low rate of interest that is proposed and the five-hundred-dollar limit on deposits, but to offset this there is the Government guarantee and the great number of banks that would be much more accessible than those on which the index is based. For the sake of conservatism, however, suppose that the total is a third less, or eight billions. In case the deposits were not redeposited with the national banks the committee would have this vast sum to invest and the problem would be enough to trouble any committee. It would take only a little over one-half of it to buy every United States, State, municipal and railroad bond (that is legal under the New York Banking Act) in existence. It would appear to be a physical impossibility for any one committee to manage the investment of such a fund in a way in which trust funds should be invested.

It would seem, therefore, that the proposed law has some excellent features and some that are not. In a small portion of our country there is a well-established system of savings-banks that has proved most successful. In the rest of the country there is a recognized need for some system of savings-banks. Instead of adopting the present Postal Savings Bill, would it not be better to enact a national savings-bank law embracing the good points in the proposed law and the good points of the system now in operation? The existing post-office facilities might readily be used for the collection and accumulating of deposits. These might be turned over to local boards of trustees for investment in accordance with a law patterned after laws now in force in the States in which savings-banks are in operation. As the funds in the hands of trustees gradually accumulate to sufficient size the trustees might incorporate and undertake the collection of the funds as well as their investment and thus gradually relieve the Government from the necessity of operation. Any existing savings-banks should be permitted to reincorporate under the national law and in the localities where they are situated the Government would not need to undertake their operation. Thus there would be no loss sustained by the present banks on ac-

count of Government competition. The investment of the deposits could easily be arranged in such a manner that a large proportion would have to be used in local towns for the improvement of real estate, and under the management of the local boards of trustees the interest rate would naturally adapt itself to the local conditions. If the constitutionality is satisfactorily established the Government guarantee might be used under such a plan. It would hardly seem necessary, however, when the success of the banks that are now operating without it is considered. If it is used it should be in the form of insurance, each bank being taxed a small percentage annually and the accumulation held as a guarantee fund by the Government.

Such a system might prove of great value to the country in another way. The currency system that has been fostered and built up in order to allow the Government to sell its bonds at a low rate of interest has been found to need serious revision. One of the great obstacles encountered in this revision is the preservation of the market value of Government bonds. There is no question that this value would greatly diminish if their use for currency were taken away. If a successful national savings-bank system were in operation there is no reason why a small part of the accumulated funds might not be invested in these bonds. A very small portion of the aggregate amount would be sufficient to purchase all of the bonds now outstanding. These amount to about $913,000,000, or less than six per cent. of what might be reasonably expected to be the savings deposits of the country.

To summarize the foregoing it would appear: that the true purpose of a savings-bank is to encourage thrift and prosperity by affording a means of safe investment to persons in moderate circumstances, to return to them their money with all its earnings and to furnish money to local borrowers for the development of real estate; that in the greater part of our country a need exists for such banks; that the proposed law, as a whole, is contrary to the fundamental idea of savings-banks; and that the system now in successful operation in a portion of the country could easily be extended to the whole.

HAROLD STONE.

THE OTHER SIDE OF CONSERVATION.

BY GEORGE L. KNAPP.

For some years past, the reading public has been treated to fervid and extended eulogies of a policy which the eulogists call the "conservation of our natural resources." In behalf of this so-called "conservation," the finest press bureau in the world has labored with a zeal quite unhampered by any considerations of fact or logic; and has shown its understanding of practical psychology by appealing, not to popular reason, but to popular fears. We are told by this press bureau that our natural resources are being wasted in the most wanton and criminal style; wasted, apparently, for the sheer joy of wasting. We are told that our forests are being cut at a rate which will soon leave us a land without trees; and Nineveh, and Tyre, and any other place far enough away are cited to prove that a land without trees is foredoomed to be a land without civilization.* We are told that our coal-mines would be exhausted within a century; that our iron ores are going to the blast-furance at a rate which will send us back to the stone age within the lifetime of men who read the fearsome prophecy. In short, we are assured that every resource capable of exhaustion is being exhausted; and that the resource which cannot be exhausted is being monopolized. Owing to the singular pertinacity of the sun in lifting water to the mountain tops, and of the earth in pulling that water back to the sea, even the disciples of conservation by scareheads cannot say that in a few years we shall be a land without water-power. But they say the next worst thing. From official bureau and lecture platform, and from the hypnotized, not to say subsidized press, goes forth the cry that the water-power sites of the land are being hogged at a rate which will soon subject us

* Witness especially Emerson Hough and M. O. Leighton.

all to the exactions of a cruel, soulless, grasping "power trust," the acme and consummation of all other trusts.*

For all these evils which make the future a thing to dread, the remedy is "conservation." The "government," that potent "conjuh word" of civic atavists and political theologians, must stint its natural and proper tasks to engage in the regulation of this, that or the other industry, to "conserve" our resources. To "conserve" our timber, the wooded areas of the public domain, together with all lands touching on and appertaining to the wooded areas, and all other lands that might, could, would or should bear trees and don't, must be segregated from ordinary use and put under despotic control as "National Forests."† To "conserve" our coal supply, the coal lands must be kept from passing into individual ownership, and operated, if at all, by persons who lease the privilege from the national government. To "conserve" our water-power, the power sites must be treated as the coal lands, and developed, if at all, as leaseholds. In a word, the Federal Government must constitute itself a gigantic feudal landlord, ruling over unwilling tenants by the agency of irresponsible bureaus; traversing every local right, meddling with every private enterprise, which seems to stand in the way of the sacred fetich of "conservation."

Only by such drastic means, we are told, can the rights of the people be protected, and the continued prosperity of the nation be assured. So persistently and adroitly has this view been urged by this press bureau, that millions of people wonder, in their innocence, why any one should object to so needful and righteous a work. Acting doubtless on the suggestion of the founder of the Ananias Club, the conservation press bureau has impugned the motives of all who disagree with it. If one objects to the inclusion of non-forest land within forest reserves, he is ranked forthwith as a would-be robber of the public domain. If he doubts the propriety of the Federal Government setting up in business as a professional savior from imaginary ills, he is an "individualist"—that being the bitterest term of reproach in the "conservation" vocabulary.‡ If one objects to the leasing of the

* Farmer's Bulletin, No. 327, by Gifford Pinchot.

† A forest officer defended to me the proposed inclusion of 94,000 acres of treeless land in the Gunnison reserve on the ground that the "abuse of land contiguous to the National Forests has a detrimental effect on the Forests themselves." Both the English and the logic are typical.

‡ "Conservation" for October, 1908.

coal lands, he is plainly an undesirable citizen of some sort; and if he declares the proposed "conservation charge" for water-power to be both unconstitutional and silly, he is marked at once as an emissary of that fearful "power trust" which is so unconscionably long a-borning.

Notwithstanding the ban thus threatened, I am going to enter the lists. I propose to speak for those exiles in sin who hold that a large part of the present "conservation" movement is unadulterated humbug. That the modern Jeremiahs are as sincere as was the older one, I do not question. But I count their prophecies to be baseless vaporings, and their vaunted remedy worse than the fancied disease. I am one who can see no warrant of law, of justice, nor of necessity for that wholesale reversal of our traditional policy which the advocates of "conservation" demand. I am one who does not shiver for the future at the sight of a load of coal, nor view a steel-mill as the arch-robber of posterity. I am one who does not believe in a power trust, past, present or to come; and who, if he were a capitalist seeking to form such a trust, would ask nothing better than just the present conservation scheme to help him. I believe that a government bureau is the worst imaginable landlord; and that its essential nature is not changed by giving it a high-sounding name, and decking it with home-made haloes. I hold that the present forest policy ceases to be a nuisance only when it becomes a curse. Since that forest policy, by the modest confession of its author, is set forth as the model to which all true "conservation" should conform, I shall devote most of my attention in this paper to the much-advertised "National Forests" and their management.

According to the report of the Forester for 1908, the "National Forests" of the United States, excluding Alaska, covered an area of 155,822,030 acres, or 243,472 square miles—almost exactly the extent of the Austrian Empire. Nearly all this vast domain is located in the western third of the United States. My own State, Colorado, has 15,746,932 acres, or 24,604 square miles, in these "National Forests." This is just a bit less than one-quarter the total area of the State, and about equals the combined area of Holland and Belgium. Yet Colorado ranks as a bad fifth in misfortune, coming after California, Montana, Idaho, and Oregon. Not more than thirty per cent. of the forest-reserve area of Colorado is covered with merchantable timber; and about

forty per cent. of that area has no trees at all. I believe a similar percentage holds true or very nearly true on the whole "National Forest" area. It was Voltaire, was it not who described the Holy Roman Empire as something neither holy, Roman, nor imperial? By the same token, nearly half our "National Forests" might be defined as land locked up from the use of the nation, and bearing no trees.

Legally, the Department of the Interior has entire jurisdiction over the management and disposal of the public lands. The Forest Service is a branch of the Department of Agriculture. But an agreement, or "treaty," between the Department of Agriculture and the Department of the Interior hands over the jurisdiction of the Interior Department to the Forest Service, so far as the "National Forests" are concerned. Here are the first four articles of that "treaty":

"Article I. The acceptance of the Forester's finding of facts concerning land claims within the forest reserves.

"Article II. Definite notice to be given by the General Land Office to the Forest Service of a claimant's intention to make final proof.

"Article III. The refusal by the General Land Office to issue final certificate or allow final entry for any land claim within the forest reserve, against which a forest officer has protested, until full hearing before the local land officers.

"Article IV. The requirement of such stipulation and bond as the Forester may demand to protect forest reserve interests before the approval of any rights of way within the forest reserves."*

The most cursory examination of these four articles shows that they constitute the Forester all but a despot within the vast region of the forest reserves. His finding of facts is to all intents and purposes final; not one prospector or settler in fifty has the financial means to contest those findings. No one can slip by unseen; for the Land Office is pledged to warn the Forester whenever some miscreant manifests his treasonable intent of staking a homestead or patenting a mining claim. Only in rare and scattered cases can any part of the "National Forest" area become individual property without the Forester's consent. How willingly he will be likely to give that consent appears on page 10 of his little book: "The Use of the National Forests":

"Under whatever law it is taken up, the land and all its resources pass out of the hands of the people forever."

* Report of the Forester, 1906. The word "article" is mine.

If that means anything, it means that the people are somehow made poorer when any part of the national domain is settled and developed under private ownership. It would be interesting to carry back this idea, and see how sadly the people of the original thirteen States have been impoverished by the settlement of the Mississippi valley. For lack of space, however, we shall have to confine our investigations to the present.

The Forester, then, is absolute master of an area about twenty per cent. greater than that of France. He has many times assured us that his mastery does not interfere with settlement. Let us see. Half the "National Forests" are not forest land. Much of this non-forest area is desert, but much of it is very valuable for farming. Ours is a land-hungry age. Every land drawing attracts from ten to twenty times as many applicants for farms as there are farms to divide. Land once reckoned hopelessly arid is being settled and farmed—in a single "dry" county of Colorado, for example, in September, 1909, there were 101 new homestead filings. Yet in the entire year of 1908, on an area of possible settlement larger than Italy, only 1,181 homestead claims on the "National Forests" were reported for favorable action. Almost as many, 1,057, were reported on adversely; and 80 claims got no report at all. In the same year, 1,675 "ranger's headquarters" were selected and withdrawn from entry. It is a common belief near the forest reserves that a "ranger's headquarters" bears a close resemblance to a desirable homestead. In the previous year, 1907, only 750 reports on homestead claims were transmitted to the land office by the Forester. How many of these reports were favorable, he neglects to state; but he does tell us that in that year, 1,552 "ranger's headquarters" were picked out and set apart from the profane touch of the settler. If we allow the same proportion of favorable reports on homestead claims in 1907 that prevailed in 1908, we find that in two years the Forester gave his approval to 1,563 settler's homes, and established 3,227 "ranger's headquarters." In the light of this record of more than twice as many "rangersteads" as homesteads, the claim that a "National Forest" does not interfere with settlement seems negligible.

To see how such a policy affects the community near which a "National Forest" is located, one needs but compare the economic returns from the "National Forests" with the economic returns

from similar land handled by private individuals. The chief income of the Forest Service—always excepting Congressional appropriations—is derived from grazing fees. The Forester estimates this income for the year 1908 to amount to $0.00573 per acre. Knocking off the last two decimal places for convenience, and doubling the remainder, we may say that the non-forested lands within the forest reserves yield a gross income of one cent per acre per year. In the spring of 1909, the State Agricultural College of Colorado planted ten acres of potatoes on land almost surrounded by "National Forests." The potato-patch was 7,800 feet above sea-level, and differed in no particulars from thousands of acres of "National Forest" land near by. The potatoes yielded 100 sacks per acre, and the price on the ground was $1.50 per sack. Individual farmers in the neighborhood got even better returns. Land planted to cabbages gave a gross return at the rate of $450 per acre. Land planted to cauliflower gave returns which I am afraid to quote. Timothy hay was giving gross returns in that district of $20 per acre; and in another part of the State, that return is deemed small. In still another valley, small fruits are bringing their cultivators from $300 to $1,000 per acre per year; while just across the imaginary line that parts "use" from "conservation," exactly similar land is yielding a penny per acre per year. The difference between double-eagles and postage-stamps is an understatement of the difference to a community between land settled and farmed by individuals and land "conserved" in the sacrosanct "National Forests."*

Perhaps an instance will help to show how the "National Forests" encourage settlement. Mr. Ira P. Hutchings, of Independence, California, applied for a homestead in one of the forest reserves of that State, under the so-called Agricultural Settlement Act of 1906. He received the following answer:

"INYO NATIONAL FOREST,
BISHOP, CAL., *Jan. 26, 1909.*

"MR. IRA P. HUTCHINGS,
Independence, California.

"DEAR SIR:—

"Your application No. 10 for Forest homestead . . . is on file in the office of the District Forester. . . .

"In order that the Forester may determine what land to recommend for listing it is desirable that a demonstration be made of its agricul-

* State Senator E. M. Ammons, a trustee of the Agricultural College, can verify this statement, and supply similar ones.

tural possibilities, and to this end I would suggest that you take out a special use permit for forty acres of the tract applied for and experiment upon it. . . . It is believed that two years should be sufficient to demonstrate whether the land will produce farm crops of enough value to justify its listing for agricultural entry.

"If results are such that your application is rejected, but if you still desire to continue occupancy of the forty acres under special use permit, you may be allowed to do so upon payment of the usual annual charges. . . .

(Signed) A. N. HEGNE, Forest Supervisor."

As a piece of unconscious humor, I have seen few things to equal that letter since the British war correspondents left South Africa. If Mr. Hutchings could prove that he could make a living on forty acres, the 160 acres applied for might be considered worth listing for agricultural entry. If, on the other hand, the land was too poor for him to own, he would be permitted to occupy it as tenant. It is well known, of course, that applicants for homesteads enjoy staking two years' time and labor against the caprice of an irresponsible official; that they are able and anxious to make "experiments" at their own expense for the benefit of a Federal bureau; and as for renting land that isn't good enough to own, the homesteader has a perfect passion for it.

With mining as with agriculture, "the acceptance of the Forester's finding of facts" is the rule, and works out in pretty much the same fashion. The rangers, hired for a little more than cowboy's wages, and generally knowing nothing of mining, are required to examine and pass upon all mineral claims within the sacred boundaries of the "National Forests." The instructions printed in the "Use Book" for the guidance of the rangers in making these examinations are a standing joke in every mining camp in the West which has been unfortunate enough to hear of them. The Forester's definition of a "valid mineral claim" would have ruled out the "Independence" on that Fourth of July morning when its owner went to work because he didn't have enough money to celebrate. If the ranger reports adversely, the claim is lost; save in those rare cases where the claimant is morally and financially able to fight for his legal rights.

Such a fight occurred in what is known in Colorado as the "Roller case." A number of men, of whom Mr. W. W. Roller of Salida is one, held eleven claims which were located and partly

developed before the ground was included in a forest reserve. The receiver of the land office issued his receipt for the purchase money of these claims February 24, 1906. On March 23d, 1908, Mr. Roller and his companions were notified that a forest officer had filed charges against the validity of their claim, alleging that a sufficient amount of money had not been spent in development work, and that part of the claims were not mineral in character.

One would think that the presence or absence of minerals might be left to the men who were spending $50 per acre for the right to guess on that subject. The Forest Service and the General Land Office refused to furnish Mr. Roller with specific statements of the charges against his claims; and he was obliged to proceed in the dark. Luckily, he had means to make a fight. He proved that the lands claimed were mineral; and that, mineral or not, he had a right to them under the laws of his country. He proved that he and his companions had spent over $18,000 on the claims, instead of the $5,500 required by law. In the end, he got his title. But in Summit County, Colorado, a couple of poor prospectors were not so fortunate.

Nor is the forest policy more favorable to the harnessing of water-power than to other forms of industrial development. Indeed, it is less so. The theoretical friendliness which covers—in speech—the practical hostility of the Forest Service toward mining and farming becomes too thin for a veil when a power plant arrives on the scene. To be sure, a water-power plant is about the best example of real conservation that can be imagined; a waterfall harnessed is a coal-mine saved. But the self-constituted guardians of the future are here dealing with the prospective units of the to-be-engendered "power trust"; and no mere matter of common sense is allowed to turn them from their stern duty. The power plant which comes in contact with the "National Forests" learns that the way of the transgressor is hard even before he begins to transgress. It is offered a lease to the ground needed, instead of a title. It is asked to pay an annual rental for the land covered by its storage reservoirs about equal to the price which the Federal Government asks for a clear title to similar land outside the forest reserves. It is dunned for the rent of its right-of-way. It is presented with a bill for the "conservation of water," the amount of the bill being determined by the amount of power generated and the length of time that the plant has been

in operation. In one contract which I examined—but which the company did not sign—the "conservation charge" would have amounted to nearly $50,000 per year before the expiration of the lease.

There is not the slightest basis, in fact, for the claim that the "National Forests" conserve the water in any way that makes it easier for a power company to use. The only way to store water is to impound it in reservoirs. There is not the slightest basis in law for the levying of such a charge by the Forest Service, even if the claim of storage were well founded. The water of a non-navigable stream belongs to the State in which it is located and must be taken and used under State laws alone. The act of 1897, which established the forest reserves, expressly recognizes this State control. But, passing all questions of law or of fact, consider the injustice of thus levying a tax on the industrial development of the newer States, a tax from which the States with no forest reserves are free! To arbitrarily make electric power cost more in Colorado than in Pennsylvania is as unjust as to manipulate the price of bread in the same fashion. If the constitutional power existed its exercise would be tyranny—and the constitutional power does not exist.

Even yet we have not taken the full measure of the Forester's zeal for "conservation." The Nevada-California power company supplies current to Goldfield, Nevada. The Central Colorado power company generates power on the Grand River and carries it over half the State. In both these cases the filings on the water were made and the work of development well begun before the lands on which the power sites are located were included in the "National Forests." Yet in both cases the Forest Service tried to exact the "conservation charge"; in both cases the Forest Service bullied, threatened, cajoled; in both cases the Forest Service backed down when it encountered firm opposition and offered to settle for a sum much smaller than the one first demanded if the company would but come under the tents of "conservation" and admit the legality of the proposed tax. I am happy to add that in both cases—at least up to the date of writing—the companies have stood on their legal rights and have politely invited the Forest Service to a region where the fuel-supply, at least, has never been thought to need the labors of a conserver.

Here, then, we have a system which throughout its sphere of

action hampers all forms of industrial development. We have an area larger than many a European kingdom put to its lowest, instead of its highest economic use. We have a policy which is an absolute reversal of more than one hundred years of national habit and tradition; a policy which holds barrenness a blessing and settlement a sin; which fines, insteads of encouraging, the man who would develop a natural resource; which looks forward to a population of tenants instead of to a population of proprietors; which seeks to replace the individual initiative that has made our land great by a bureaucratic control that has made many another land small. Surely, the danger must be imminent and terrible which is held to justify such a course.

The danger is said to be imminent, indeed. The conservation press bureau is strong on asserting. The picture of the lost and forlorn condition of the land ground under the iron heel of the coming power trust is calculated to move the faithful to tears; and the picture of the desolation which will follow the wasting of our natural resources is yet more harrowing. But somehow the details of these panoramas of terror are not quite convincing. It might be well to look up the models who sat for the various figures of "famine" which have troubled our rest.

Take the "coal famine" first. The United States Geological Survey gives the known deposits of coal in this country as holding 3,157 billion tons of coal. About half of this is easily accessible under present mining conditions. One-third can be profitably mined only when the demand grows greater or mining grows cheaper. One-sixth is composed of the lignite and sub-bituminous coals, easy of access, but recently coming into use. The coal consumption of the entire world is about one billion tons per year; that of the United States was 480,000,000 tons in 1907.

In a paper read before the Mining Congress in Joplin, Missouri, in 1907, Mr. Edward Parker, of the Geological Survey, analyzed the coal consumption and supply rather carefully. He pointed out that at the present rate of consumption the anthracite coals of Pennsylvania will be exhausted in about seventy or eighty years. The passing of anthracite means the passing of a certain luxury, to be sure; but the wheels of industry are turned by bituminous coal, and Mr. Parker's analysis of the bituminous situation is rather encouraging. To quote:

"If we can assume that the production will continue to increase with the decreasing percentage ratio, the production for the decade ending in 1915 would be sixty per cent. over that of the decade ending in 1905 . . . in the next ten years, there would be an increase of fifty-four per cent. . . . If we prolong the curve in this way for another hundred and fifty years, we find that the production would become fairly constant between A.D. 2046 and A.D. 2055, with a production of approximately 2,300,000,000 tons a year. . . .

"If we estimate that by A.D. 2055 the production would amount to 2,300,000,000 tons annually, and the percentage of recovery remains the same (as now), the supply, in the light of present knowledge, would be exhausted in approximately seven hundred years."*

A famine which at the very worst is seven centuries away may be viewed with a certain equanimity. Mr. Parker further points out that the percentage of waste is already decreasing and states his belief that we shall soon recover from ninety to ninety-five per cent. of the coal from each measure instead of sixty-five per cent. as now—an item which would add nearly a third to the estimated duration of the supply. He takes no account of lignite and sub-bituminous coals, which exist in quantities sufficient to postpone the evil day for a couple of centuries more. In a word, as soon as one drops scare-heads and gets down to facts, he finds that the coal famine is farther ahead than the battle of Hastings is behind. If William the Conqueror had tried to make plans for the life of the twentieth century and had made those plans fast, would we thank him or curse him for his pains?

I can find no such analysis of the "iron famine" as Mr. Parker gives of the coal famine, but on the face of things the evidence does not greatly stimulate one's interest in the price of flint razors. Once more quoting from the Geological Survey, we have in this country two great classes of ores, of which only the richest is in present use. Of these richer ores the known supply is something less than five billion tons; of the leaner ores, with which the iron business in this country began and which are used to-day in every country but this, the supply is estimated at about 75,000,000,000 tons. We mined 52,000,000 tons in our banner year of 1907. Assuming that the ultimate iron production bears the same ratio to present production which Mr. Parker estimated for coal, our iron deposits will last but a paltry four centuries. I may add that there is no probability that iron production will increase in the assumed measure. Coal once used is gone, but iron once

* Proceedings of the American Mining Congress, 1907.

used goes back to be used over again. When the industrial world is once stocked with iron, and the world's population has become fairly stationary, we shall mine only enough ore to take the place of the comparatively small quantity that does not come back to the mills for renovation.

Next comes the most imminent and pathetic of all famines, the timber famine. This is usually scheduled to arrive in twenty years, though of late there has been a tendency to admit that the famine train may not be quite on time. When one tries to collect and analyze the figures on which the prophecy is based he comes on a maze of contradictions. I quote here the table given in "Forest Products of the United States, 1907," a publication of the Department of Commerce and Labor compiled with the aid of the Forest Service and issued in 1909. These figures are by far the highest I can find. The table is in graphic form, and I may have made some errors in translating it into words. If so, the errors are very small, for the total thus reached checks exactly with the total given elsewhere in that publication.

Annual Wood Consumption of the United States.

Firewood	9.5	billions of cubic feet.
Lumber and shingles	9.0	" " " "
Poles, posts and rails	1.9	" " " "
Hewed cross-ties	1.4	" " " "
Other uses	1.2	" " " "
Total	23.0	billions of cubic feet.

Observe that the estimated "drain on the forests" from firewood is greater than that from all sawn lumber and shingles combined. To say that such an estimate is absurd is treating it far too mildly. It is nothing short of a direct insult to common sense and common information. Practically all the firewood consumed is either mill waste or comes from trees which could not produce sawn lumber and are, therefore, not counted in estimates of the standing timber. The figures on posts and rails are purest guesswork. Half the terrors of our "timber famine" disappear the moment we realize that firewood is a by-product of lumber-mill and farmer's wood lot, instead of a direct "drain on the forests."

Even so, there is no doubt but we have cut our trees faster than they have grown, and that our methods of lumbering have been designed to save labor cost rather than to save timber. But I wish

to call attention to two items usually neglected when a "timber famine" is under discussion.

First: A large part of our original timbered area was deliberately stripped of its trees, not only to get lumber to saw, but to get land to till. This was the rule in most of the Atlantic States; and in the timbered areas of West Virginia, Kentucky, Ohio, Indiana, Illinois and southern Michigan and Wisconsin. In nearly all this region the timber was a secondary consideration, and in much of it the logs were dragged together and burned to get them out of the way. The loss of these forests has, therefore, no bearing at all on the timber-supply and demand of to-day. If it be true, as is often stated, that the remaining forests are mostly on land good for little but to grow trees one great factor in forest destruction is abolished forthwith.

Second: Our lumber consumption is decreasing. The National Lumber Manufacturers' Association estimates the production of 1908 to be 17.3 per cent. less than that of 1907; and adds that 1909 will probably show a similar or greater decrease.* I believe the decrease began earlier. The figures for the cut of 1907 show an apparent increase of eight per cent. over the production of 1906. But the number of mills reporting was twenty-nine per cent. greater in 1907 than in 1906. The probability is therefore strong that the high tide in lumber-cutting was passed at least three years ago and that we can look for a steady if slow decline for many years to come.

What this implies can be easily seen. The estimated annual forest growth in this country is twelve cubic feet per acre—one-fourth of that in the German imperial forests. The area on which this growth is taking place is given at 550,000,000 acres. One cubic foot is commonly taken to equal six feet, board measure. This makes our annual forest growth come to 39,600,000,000 feet, board measure. The known drains of 1908 total up to a little less than 46,000,000,000 feet, board measure. An unclassified drain exists, of course; but it cannot be very large. It will plainly take but a small shift in our national habits, a shift already begun, to make our annual forest growth meet our annual demand. And commercial forestry has just begun. Many railroads are planting trees for tie timber. Owners of timber land are adopting more careful methods of lumbering. Everything points to an

* American Lumbermen, July 24th, 1909.

early and spontaneous adjustment of our timber problem—everything but one.*

And that one constitutes an illuminating incident of the conservation scare. At the very moment when the heavens are rent with wild cries for the "conservation of our natural resources" the depletion of those same resources is being artificially hastened by the tariff—and no conservationist raises his voice against the monstrous absurdity. Only one-fifth of the standing timber in the land is included in the "National Forests" and in the various parks and Indian reservations. To preserve this one-fifth the Constitution is used as a door-mat; a bureaucratic despotism is called into being; the development of whole States is checked; the productiveness of vast areas is held down to the lowest notch and the Federal treasury drained of millions of dollars per year. And all the time we are offering a direct bounty of one dollar and twenty-five cents per thousand feet—it used to be two dollars—for the destruction of the other four-fifths of our timber supply. And the press bureau, which boasts of reaching 9,600,000 readers, has carried to none of those readers a protest against this national folly—this folly that would be a crime if there were any appreciable percentage of truth in the tales told to justify "conservation." How shall we characterize that partisanship which can shriek disaster from the housetops, yet remain dumb in the face of the direct encouragement of that disaster?

Finally, let us inspect the bogy of the power trust. Without assuming to set metes and bounds for the activities of future captains of finance there are many reasons why the talk of a power trust is sheer nonsense. No trust has ever gained dangerous proportions unless it has been granted some unfair advantage through Government bounty or seized some unfair privilege through Government neglect. The classical example of the advantage granted is the tariff; the classical example of the advantage seized is the railroad rebate. I can see no disposition anywhere to grant such favors to a prospective power monopoly, nor to sit by idly while such favors are seized. For at least seven centuries the water-power companies must be prepared to compete with coal; and it is not without bearing on this question that the sun-motor and

* The figures of annual growth and acreage are taken from Forest Service Circular No. 166—"Timber Supply of the United States," by R. S. Kellogg. The figures for known uses are taken mainly from the American Lumberman.

the wave-motor are both accomplished facts merely awaiting commercialization. The physical obstacles to a power trust are insuperable so long as the States insist on actual use being necessary to the ownership of water. Of the financial troubles of such a trust I will only say that Government "experts" estimate that it will take twenty-three billion dollars to finance the water-power development of the United States. The likelihood of such an aggregation of capital under one control I leave others to consider.

Just one of all the scares adduced to justify the freaks of "conservation" has any basis in fact, and that basis rests on a legislative folly against which no disciple of "conservation" protests. The rest of the terrors are the unreal fabric of a bureaucratic dream. And if they were real the worst possible method of meeting them would be that scheme which is touted by the conservation press bureau as a piece of statesmanship so profound that its authors are appalled afresh each day at their own supernal wisdom. If the power trust were a real menace, how could its coming be hastened more surely than by cutting off from use the supply of power sites? If a coal famine were impending, what could be worse folly than to put in charge of the coal-mines an agency which cannot even run a monopolistic post-office without a deficit? If the timber famine were as near and as fearsome as we have been told, who shall measure the criminal folly of taxing the people to "conserve" one-fifth of their timber-supply and taxing them again to provide bounties to hasten the destruction of the other four-fifths?

The terrors from which "conservation" is to save us are phantoms. The evils which "conservation" brings us are very real. Mining discouraged, homesteading brought to a practical standstill, power development fined as criminal, and, worst of all, a Federal bureaucracy arrogantly meddling with every public question in a dozen great States—these are some of the things which result from the efforts of a few well-meaning zealots to install themselves as official prophets and saviors of the future, and from that exalted station to regulate the course of evolution.

It is no more a part of the Federal Government's business to enter upon the commercial production of lumber than to enter upon the commercial production of wheat, or breakfast bacon, or hand-saws. The judiciary committee of the Sixtieth Congress, reporting on the proposed Appalachian reserve, declared

that the sole ground on which Congress could embark in the forest business was the protection of navigable streams.* Will any one pretend that a forest reserve on the crest of the Rocky Mountains, with the nearest navigable water a thousand miles away, can be brought under this clause? Even on the Pacific slope, I have not heard that the lumber mills of Washington have seriously impaired the navigability of Puget Sound; nor that the Golden Gate would shoal up if the cutting of timber in the Sierras were unchecked. And will the champions of "conservation" claim that the Federal Government has greater rights and powers in the newer States than in the older ones?

But the public lands belong to the whole people. Undoubtedly; but in what sense do they so belong? As a landed estate, from which to draw rentals, or as an opportunity to be used? Which interpretation of this ownership has prevailed in the past? Which doctrine caused the settlement of a region as large as half Europe within the lifetime of a single generation? And passing this larger aspect of the question, if the "people" do own the public lands, and especially the "National Forests," in the sense of being possessors of a rentable estate, are they quite sure that it will pay to treat that estate in that fashion? The total receipts from the "National Forests" in 1908 were $1,842,281.87. The expenditures for the same year were $2,526,098.02, leaving a deficit of $683,816.15. If the "people" really want that deficit and would feel robbed without it there might be less bothersome ways of supplying their need than the maintenance of a Federal bureau. It might be cheaper to sell the estate on reasonable terms and trust to the patriotic endeavors of Congress to provide the indispensable deficit.

Our natural resources have been used, not wasted. Waste in one sense there has been, to be sure; in that a given resource has not always been put to its best use as we now see that use. But from Eden down, knowledge has been the costliest thing that man could covet; and the knowledge of how to make the earth best serve him seems well-nigh the most expensive of all. But I think we have made a fair start at the lesson; and considering how well we have already done for ourselves, the intrusion of a Government schoolmaster at this stage seems scarcely needed. The pine woods of Michigan have vanished to make the homes of

* Report No. 1514, 60th Congress, First session.

Kansas; the coal and iron which we have failed—thank Heaven! —to "conserve" have carried meat and wheat to the hungry hives of men and gladdened life with an abundance which no previous age could know. We have turned forests into villages, mines into ships and sky-scrapers, scenery into work. Our success in doing the things already accomplished has been exactly proportioned to our freedom from governmental "guidance," and I know no reason to believe that a different formula will hold good in the tasks that lie before. If we can stop the governmental encouragement of destruction, conservation will take care of itself.

To me the future has many problems but no terrors. I belong to the generation which has seen the birth of the electric transformer, the internal-combustion engine, the navigation of the air and the commercial use of aluminum, and I quite decline to worry about what may happen "when the world busts through." There is just one heritage which I am anxious to transmit to my children and to their children's children—the heritage of personal liberty, of free individual action, of "leave to live by no man's leave underneath the law." And I know of no way to secure that heritage save to sharply challenge and relentlessly fight every bureaucratic invasion of local and individual rights, no matter how friendly the mottoes on the invading banners.

GEORGE L. KNAPP.

BRIBERY IN THE LEGISLATURES.

BY S. M. GARDENHIRE.

It is not often in this government of the people that such an object-lesson is furnished them as that enacted at Albany, New York, in the politics having headquarters there. One honorable Senator has accused an honorable colleague of having accepted a thousand dollars as a bribe direct for his official vote on a bridge proposition which was pending in the Legislature. The small sum named was not the total of the price alleged to have induced a betrayal of public trust, nor are we to regard it as a measure of the value of this kind of statesmanship; its significance is in the fact that it purports to be the specified amount in a rare and concrete case which opened itself up in this timely manner to publicity. The gross figures of which this thousand dollars was a part might well have influenced any number of honorable colleagues of this alleged more or less honorable stripe. The preliminary legislative inquiry following incited the query as to whether or not the case disclosed a practice or an incident. The question was characteristic in its hypocrisy. It made one think of Macaulay's reference to the British public in one of its periodical fits of morality. The newspapers throughout the country generally are scarcely in doubt. They have long admitted the prevalence of bribe-taking in Legislatures, and in this case they allege that the practice is winked at in the organization of both political parties. As to this, there is little doubt in even the general public mind, and in its own interest it can afford to be as frank as its press; the Albany case is a practice and not an incident. All men of affairs are familiar with the old legislative stagers who, on the convening of the Assemblies at the appointed time in the various States, rise from their familiar seats, one after the other in turn, to introduce House Bill number blank, re-

quiring the local railroads to establish standard scales at country cross-roads, put asphalt between the rails in desolate wastes, place stock-yards on costly terminal grounds, or imposing such other duties and expenditures as may uselessly harass and annoy. Such procedure is so much looked for on such occasions that the House staff greets the ancient routine with a humorous smile of welcome, and the bills are quietly referred to the various committees, where watchful lobbyists of the assaulted interests are prepared to meet them. Insurance companies have been similarly attacked, and officials of these two kinds of corporations, exclusive of many others, will bear unanimous testimony that they have met this character of procedure for years in practically every State in the Union.

As the country has grown into unprecedented commercialism all moral questions have amplified. But the harsh syllabic "bribery" has been tempered by the apologetic word "graft." One municipal politician whose area of influence might dignify him to statesmanship in the West, with a lack of humor which is a reflection on the race from which he sprang, has coined the phrase "honest graft" as descriptive of that character of dishonesty which the public will admit and yet tolerate. It is the irony of our helplessness that admits his definition.

The Albany case suggests a more extended investigation. But why seek to discover what we already know? If the additional certainty to be acquired is not to be followed by an effective remedy, why trouble the waters?

We have statutes already which make bribe-taking a felony. Every State by their enactment has confessed their necessity. Can they be made stronger? Can we make bribery more than a felony? The matter will bear emphasis because of its moral interest to the whole country. The representatives of the people come from the very essence of the community itself and are presumably selected citizens. Is it possible that we get a better class of persons from the same source when we draw on it for our judges, and must we believe that the courts are corrupt also? "To such complexion must we come at last," unless the remedy be found.

A reading of these bribery statutes, varied as they may be, will show that we have treated the situation with a severity that smacks of bravado when it is remembered who drafted and en-

acted them. They strain legislation to the utmost to reach a dangerous and detestable form of crime, and yet, with rumor and suspicion rife throughout the entire country, and so existing for a long period of time, the bribe-taker is the rarest defendant seen at the bar of justice.

The reason? We are not yet free. We have not yet thrown off the prejudices, the superstitions and the ancient thralls with which intelligent aspiration must continue to strive. Here the doctor makes diagnosis of his own case. Judges do *not* condemn themselves. Legislators do *not* make laws under which they can be convicted of practices in which they admittedly indulge. The old legislative stager who rises with his railroad or his insurance bill can be trusted not to initiate or further any measure in which his own conduct is likely to be entangled. And he is the wariest and wisest old veteran that ever administered such a situation. He is an expert on every moral question growing out of a relation between the public and its law, and the loudest and shrewdest sophist that ever spoke to such a subject. We have called him a demagogue, but he is more; he is a special pleader to inherent weakness in humanity itself, and therefore he seldom speaks in vain. He, the man we most desire to reach, past master in the premises that afflict us, is the one to whom we go for counsel, and to whom we guilelessly intrust all methods to prevent a procedure of which he is both the father and the mother.

Let us stop in the haste of too much progress and optimism and consider a matter about which we usually shrug our shoulders. Does there exist, then, truly in the conduct of this Government for which we profess such pride and which we have believed to be so superior to every form of monarchy, however liberal, this vulgar form of theft? And in the very citadel, too? Integrity is one of the elements of patriotism, yet we believe that a legislator who would take a bribe from a willing giver for a vote on a matter possibly not affecting his immediate constituency might stop short of robbing the treasury and would scorn to betray his country to a foreign enemy. The salvation of the question is in the fact that there *are* such men. We feel this, and hence we are patient with a situation which we believe to be beyond cure, except in a further development of the general conscience. Hundreds of officials would accept a bribe indirectly who would repulse an offer of money with indignation. To their minds, blandish-

ment or social preferment or indirect business advantage does not shape itself into such an act, or differ so greatly from the ordinary transactions of life, not official, as to make such an acceptance an offence. It is here that the old stager rises in defence of an inherent weakness to invert the laws of logic and interpose an effective barrier to progress. It is in this that the strongest statutes with the severest penalties are ineffective. In every State in the Union they all beg the question in the beginning. They offer by way of apology the old and comforting phrases, "The receiver is as bad as the thief," "The whiskey-seller is as bad as the whiskey-user," and the, "Tempter"—we have hated the "tempter" ever since he crept into the Garden of Eden. And he has retaliated in making that hatred and its accompanying fear the basis of as much injustice with its accompanying misery as humanity has been able to inflict on itself.

We make a statute declaring that the bribe-taker shall be punished as a felon; and smilingly the old legislative stager incorporates into the same rule the provision that the man who offers the bribe shall be also a felon and thereby wipes out the only available witness to the transaction. And he knows his moral public. "I am perfectly willing to be punished if I accept a bribe," says this veteran in logic, "and I ought to be. But you must punish equally that overpowering person to whom I am induced to yield."

In the annals of logic there was never a conclusion more insincere. The receiver is seldom as bad as the thief; the other old saws and ancient instances are likewise faulty and the tempter has a very small moral status in any such transaction. "'Tis in ourselves that we are thus and thus."

In the isolated instances where the tempter is a man of force, character and experience, and the person influenced a weak, timid and trustful nature, the instance excites a natural abhorrence. Where manhood preys on childhood in any form of sin or deceit, we are stirred to anger and revolt. But all such cases usually occur in another domain of our social relationship and are met by methods in which the social system is well schooled. Invariably society can care for them, and the analogy by way of illustration should not be tolerated in the mouth of any erring official.

Imagine a man proficient enough to obtain a public office in

these days of extended and complex political controversy mitigating his lapse from decency and honor by asserting a tempter! It is the criminal always who begs the question and those related to him in some manner of blood or interest who seek indulgence by pleading the primer in human weakness. In truth, a public officer is presumably not a person to be tempted. He is selected as a choice example of wisdom and experience, well worthy to be trusted. The kind of man who would seek to bribe him is a person who could not, in the logic of things, influence him at all; and wherever he yields it is the money and not its wielder who tempts him. The bribe-offerer in every such transaction is a minor moral factor with little logical relation to the act or its result.

The official is under obligation, assumed beforehand, not to betray his trust. This obligation takes the form of an oath which puts him on notice. But the bribe-giver is not anticipated or expected. The citizen is not presumed to be so foolish as to wish to corrupt his own servant, and it never should be suspected that an offer of a bribe would be accepted. And it never would be accepted if the criminal statute was made effective by putting the burden solely on the man who directly and solemnly assumes it and letting the bribe-giver be immune. Bribe-taking would instantly disappear in the face of such a statute, unless we impute a criminal stupidity to men worth official status. Immune himself and guilty of no offence in so doing, no man would dare approach an officer and ask him to become a criminal, alone, for any sum which might be tendered. The reply must be absolute in every instance:

"Why, you villain! Do you want to entrap me? If I accept this offer I become a criminal, while you are in no peril whatever. Nothing but your silence would stand between me and the penitentiary, and even though you should not betray me I must be your slave, always at your mercy, compelled to obey you hereafter without a payment, because you could always hold me subject to the telling of my first offence."

Is it to be believed that any man of official age would ever assume such a condition? And how would he resent the effort of any one to induce him to assume such a condition?

It is easy to enforce the statutes against every character of admitted felony where witnesses who testify against the criminal

are regarded as good citizens and are encouraged to come forward; but if in a case of burglary the person robbed were placed in the same category as the criminal, no sane citizen would be willing to testify that his property had been invaded. He could better place the burglar in the quality of an invited guest and swear speedily that the goods taken went with his full consent.

The question presents difficulties only to those legislative veterans who are protectors of the public conscience, and one form of story which may take many forms illustrates his method of mitigating the veniality of the bribe.

"Here's a thousand dollars for your vote, Bill, on this railroad question," said a lobbyist to the member of a Western Legislature. "Can I count on you as against the measure?"

"You can," was the reply as the member pocketed the money, "but don't think this little gift has influenced me any. I'd made up my mind already to vote your way. I'm an honest legislator, while you are a lobbying bribe-giver, and I only took your money to prevent your tempting some weaker member of this body with it."

"All right," said the lobbyist; "but I shall not make this case a precedent."

"No, I wouldn't if I were you," answered the lawmaker. "Each case should rest on its own merits, and one *could* arise where I might not have made up my mind beforehand."

Civilization is attained by educational thought and consistent individual striving. This results in the abrogation of old prejudices and the making of new rules or laws up to which the consistent strive to live. If prejudice is thrown down and the bribe-taker is not protected by a statute of his own drafting, wherein he shall impose upon his alleged tempter a penalty as great as that which he is willing to risk himself, we may hope to abolish graft and progress a little further on the journey towards good Government.

S. M. Gardenhire.

BROWNING AND SAINTE-BEUVE.

BY GAMALIEL BRADFORD, JR.

LET me explain at once that the distinguished characters who give a title to this article had, so far as I am aware, no personal acquaintance with each other. I do not remember that either made even any reference to the other, for good or for evil. Nevertheless, there is a striking resemblance between their literary aims and achievements, and I have found the study of the two writers together most significant for the understanding of the age in which they lived.

It is, perhaps, rash to attempt to sum up a century in a single word. If we try to crowd human nature into our formulæ, it revenges itself by stultifying them. Yet there are certain key-notes which, broadly and wisely interpreted, seem to throw more light upon a special period than pages of analysis. Thus in the largest and best sense convention may be said to be the key-note of the eighteenth century, including in that term the reign of Louis XIV, with all that it implies, and excluding the last two or three decades and the French Revolution. Convention—the reasonable sense of practical limitations, degenerating for the unintelligent into an artificial standard—convention in thought, convention in social life, convention in political systems, convention in art, convention in literature—here we have the world of the *Grand Monarque,* the world of Locke, the world of Pope and Johnson and Goldsmith, the world of Horace Walpole.

Then the great, fruitful, Hegelian principle of progressive reaction asserts itself and the French Revolution, with all that precedes and follows, blows the rotten structure of convention into dust. We must seek a new word that will give us the key-note of the opening nineteenth century. Who can doubt that that word must be, nature? Shifting, varying, obscurely, blindly, failing at

one point and struggling onward at another, the nineteenth century in the main kept before it the desire to substitute nature, natural laws and natural impulses, for falsehood, for pretence, for artificiality, for convention.

At first this desire for nature was youthful, lyrical, imaginative. What was the French Revolution but a convulsive epic, as Carlyle has grandly shown it? What was the career of Napoleon but a lurid tragedy of Æschylus or Marlowe? What were the philosophies of Fichte and Schelling and Hegel but broad flames of the creative imagination? And the painting of Turner was nature as the world had never seen it before, nature interfused with dreams. And the novel of Scott and Dumas and Hugo was nature, human nature, let loose from Richardson's trim wig and sword and careering through the ages. And, above all, the return to nature in the early years of the nineteenth century was the carnival of poets. Prose might stumble after, as it could. The free, the joyous, the spontaneous expression of the age was rhythm and rhyme.

But the century grew older and somewhat distrustful of these raptures. Nature was the watchword still; but what if the lyrical imagination had betrayed nature? It had been loudly proclaimed that nature taught political equality and democracy, but democracy appeared to be a dubious success and equality both impracticable and absurd. German philosophy had deduced from nature a splendid, rainbow-colored pantheism, seductive, alluring, but to plain minds not altogether substantial. These personal outpourings of the poets—it was difficult to resist their intimate charm, but were they quite genuine? Was not poetry, anyway, a distorting medium, enticing, misleading, disguising? Nature, yes, but let us have just plain nature without literary gorgeousness, the humble, the simple, the reverent study of fact. For simple study is more reverent than the blatant, boisterous intrusion of our own temperament, our own interpretation. It was hardly possible that this protest should affect the political world at once, except in a marked change of attitude. But in the world of thought it meant the coming of the scientific spirit. The name of Hegel may be most typical of the intellectual life of the earlier nineteenth century. Assuredly that of the later will be more and more associated with the name of Darwin. Try all things, test all things, examine all things, not with arrogance or self-assertion, but with reverence

and humility. Above all, respect fact, for the most insignificant fact may be the key to the universe. There are no insignificant facts. Not in the natural sciences only, but in the historical, in every branch of thought and life, the Darwinian method, the Darwinian attitude made themselves supreme.

And here the poets were out of place. Plain prose was best for telling plain facts to plain people. Of course poetry did not disappear. It never can. But it withdrew, for the most part, into an "ivory tower" of its own, built a Palace of Art, busied itself with curious felicities of rhythm and remote analyses of thought, ceased to be the vital, the natural, the spontaneous language of mankind, as it had been before. The typical literary names of the last half of the nineteenth century are not even Tennyson and Gautier, certainly not Swinburne, or Rossetti, or Arnold, or the French Parnassians. They are the great novelists, English and French, who in simple, vigorous prose portrayed human character with all Darwin's searching love of fact and all his patient reverence for it—Thackeray, George Eliot, Hardy, Balzac, Flaubert, Zola, Maupassant, and many another.

Now the case of Browning was peculiar. By temperament he was thoroughly in sympathy with his age. No "ivory tower," no palaces of art, no dim seclusion, no empty niceties of rhythmical cleverness for him. Balzac, the first and perhaps the profoundest of the great French vivisectors, is the novelist he prizes and admires.

> "'For I,' so I spoke, 'am a poet.
> Human nature, behoves that I know it.'"

Even here we do not get Browning's own utterance, for the intensity of his reaction against romantic personalism, bitter as Flaubert's or Zola's, was so great that he would not make his studies of other men and women in his own words, but preferred the monologue form and the dramatic expression of some imagined interpreter.

But it needs no direct utterance of the poet, no explicit statement of æsthetic creed or dogma, to show us where Browning's interest lay, and to what end his literary efforts were directed. The study of the human soul, of every human soul, its life, its motives, its conscious purposes, hopes, desires, triumphs, pitiful failures and despairs, this was the aim of his art from beginning to end. Nice arrangement, artistic perfection of design, were

well in their way. Classic adjustment of all things to a perfect harmony of loveliness was beautiful, admirable. But the vast, sudden modern consciousness of soul secrets left no time for such delicate æsthetics,—

> "To become now self-acquainted
> And paint man, man, whatever the issue!
> Make new hopes shine through the flesh they fray,
> New fears aggrandize the rags and tatters:
> To bring the invisible full into play,
> Let the visible go to the dogs—what matters?"

And so Browning's work remains a vast gallery of portraits, all done, in one way and another, from the life, and hence warm with the breath of humanity. Lovers, not mere lovers, blending their love with art and patriotism and spiritual striving. Men of the world, Blougram or Sludge, not all men of the world, tempering their worldliness with the regret, or at least the pretence, of something higher, as humanity does. Saints not all saintliness, as humanity is not. Sinners not all sin. Artists studied not in their art, but in their humanity. Heroes in the rapture, the panting ecstasy of heroic action. Above all, women, since the richer, varied life of modern woman is the newest and most splendid field for artists' tillage. If Balzac was in any way Browning's master, it was in regard to women that Balzac could teach him most. And the author of "Any Wife to Any Husband" and "James Lee's Wife" and many and many a similar study had profited by teaching, whether Balzac's or nature's.

So far Browning was altogether of his age, its child, its prophet. Fact, bare spiritual fact, was the object of his art, the delight of his contemplation, as much as it was of Flaubert's or George Eliot's, as much as it was of Darwin's. But for these writers the natural medium of expression for fact was prose. Poetry was a strange language, an artificial utterance, barbarous or childish even when magnificent. It was too uncouth, too subtly formal, too elaborate, for a mind bubbling over with thought, with observation, with the new, large riches of psychological discovery. For such, form must be simple, rapid, splendid, if you like, but not with a splendor to distract the reader for one moment from the essential matter which was crowded upon his attention.

It was here that Browning parted from his fellows. Poetry

was the language of the gods, had been the language of the great gods of art for centuries. How could art relinquish it, consent to falter in plain prose and abandon all that luxury, that splendor of rhythmic glory, which had held the listening world so long? It could not relinquish it. It must not relinquish it. If the age hungered for prose, it must be taught better, must be taught that its deepest needs, its widest discoveries could find their utterance more perfectly, more divinely, in verse than in any prose. It was this task that Browning set himself, how consciously of course we do not know, a Titanic labor, to bend the genius of a whole epoch and make it grow, not as it would, but as it ought.

This splendid struggle against the current of his age, this recognition of poetry as the highest possible, the eternal medium of expression, and determination to make use of it in uttering precisely those tendencies of the age which were most anti-poetic, is Browning's peculiar distinction and entitles him, far more than his actual achievement, to admiration and sympathy. The effort to be the poet of an age of prose marks his strength, but it also marks his weakness. If he had been a lesser man, he would have been content to develop the traditions of romanticism, like Gautier, like Swinburne, shutting his eyes to the throbbing reality of the world around him. If he had been greater, he would have accepted the conditions of the time, thought of fact only, of life only, and not have wasted his powers on the management of a medium which was rebellious to his purpose and repellent to those who should have been his most attentive audience. The greatest man is he who, like Shakespeare or Dante, is perfectly the child of his age. He may rise above it and dominate it, he may, he must have the faculty of giving it artistic interpretation *sub specie æternitatis;* but he must be wholly in sympathy with it, its defects and weaknesses as well as its grandeur. Matter and form both must be intimately his. Only so will posterity, from its altered point of view, turn back to him as being a real, a genuine expression of humanity.

And if we look a little deeper into Browning we shall begin to suspect that his perversity in the choice of form covers a greater inadequacy in matter than we might at first suppose. That he loved the moving spectacle of life, that he was intensely interested in the subtle, psychological analysis of passion and

character, no one can deny. But that he was always very original, very profound in carrying out this analysis, is much more open to question. If he had been clear, direct and simple, it would have been easier to judge. And conversely one is inclined to suspect that if he had had deep things to say, he would have said them simply. It so often happens so. Can it be possible that the poetic medium served his purpose, after all, where prose would have betrayed him? Certain it is that the cloudy obscurity of "Sordello" and many other of the monologues, when probed too deeply, often yields a shallow commonplace. And it is curious to note that in drama, which enforced a simpler handling of characters and a clearer mode of expression, the shallowness and the commonplace are very much more obvious. It may be, therefore, that art, like nature, adapts itself, and that if Browning had been really capable of uttering fully the spirit of his age he would have—uttered it. But at least the glory of his attempt should never be forgotten.

Now, if we turn to Sainte-Beuve, we find the attempt—and the achievement. We see a man working absolutely and easily in the life of his age, as if he were born to it, accepting its aims and ideals, not with struggle, but with joy, individual, independent, but with an individuality, an independence, largely adjusted to the movement of the time, not contradicting it, fulfilling it. Sainte-Beuve, like Browning, began as a poet. But he early found that his real work lay in another direction, and he soon turned thither, though never failing to recognize quite as clearly as Browning that poetry must be the highest utterance of all. He himself says, far too modestly, that his aspiration was "to write agreeable things and to read great things." Agreeable or not, in the forty volumes of "Lundis" and "Portraits" he has left one of the noblest monuments of an age and of a life that the world has ever seen.

It is customary to speak of Sainte-Beuve as if he were chiefly, almost as if he were only, a literary critic. Arnold and Mr. Saintsbury, who have both written of him excellently, take no other view. Professor Harper, in his interesting monograph, has a few hints suggesting a different attitude, but in the main his standpoint also is literary. This is far from adequate, as we shall see later. There is no doubt, however, that merely as a literary critic Sainte-Beuve's position is very high. The breadth,

the justice, the moderation, with which he judges the great French authors is as admirable as in a French critic it is rare, and is all the more notable because his knowledge of other modern literatures is far from extensive. The reserve, the restraint of his manner, his constant dread of exaggeration and rhetoric make him less fertile in brief, brilliant, illuminating characterizations than some other writers of much less originality and power. Yet if one reads him carefully one finds many touches that are not only significant, but enduring. "When Voltaire is right, nobody is right with so much ease and so much grace." "Up to that time it had been quite indifferent to French writers whether they had green before their eyes or not. It fell to Rousseau to put *green* into our literature." Then, too, in age, as in youth, Sainte-Beuve loved literature, cherished the beautiful worship which Erasmus expressed so concisely and untranslatably when he called himself *mystes litterarum religiosissimus*. Apologizing in later years for discussing many things which were not literature, the French critic says: "I do not often speak of poetry, precisely because I have loved it so much and because I still love it more than anything else. I am afraid of having to speak ill of it, or, at any rate, of not being able to speak as well of it as I could wish." For the English reader, perhaps for any reader, the most suggestive, the most beautiful part of Sainte-Beuve's purely literary criticism is the too few essays on the classical poets, Terence, Meleager, Apollonius, the Anthology, above all, Theocritus. This last is unsurpassable for depth and delicacy of poetical sympathy, for grace of imaginative suggestion, for perfect comprehension and fineness and justness of critical tact.

Yet merely as a literary critic it is doubtful whether Sainte-Beuve could maintain permanently his high reputation or continue to stand so much above and apart from all other critics as it is usual to place him. Few can match his volume of work. But Scherer distinctly surpasses him in intellectual clear-sightedness and broad grasp, Arnold has greater spiritual intensity, Anatole France and Jules Lemaître have a finer sensibility, much more grace and charm of expression, and humor. Then Sainte-Beuve's literary judgment has certain serious limitations. His imperfect acquaintance with other literatures than his own I have already referred to. But even on French subjects he is not really satisfactory outside of the sixteenth, seventeenth

and eighteenth centuries. "Every mind," he says, "has, so to speak, its natural sphere; mine was rather that of the civilized, cultivated epochs, like the classical ages and the Renaissance. It is only by constraint that I have been able to work back further and make my way into regions that seemed barbarous and harsh." In other words, he did not feel the peculiar charm of the Middle Ages, very real, however it may have been exaggerated. "Tell me it is curious as much as you like," he writes of the vast literature of the Mysteries, "but that it is beautiful—no." And on nineteenth-century authors he is equally unprofitable for a different reason: of all the great and successful ones he was pitiably jealous. "When one is young and beginning life one touches the great living writers by their excellences; when one grows older, one is keenly aware of their defects." Not "one," but "I, C. A. Sainte-Beuve," he should have said. "Sainte-Beuve is eager to write a book on Madame de Staël, with viper notes, like his Chateaubriand," say the De Goncourts. And his bitterness toward these two is no more marked than towards Musset or Hugo or Lamartine or Béranger. Even where his judgment is rational and in the main satisfying, as with Balzac, there are little corners and twists of personal spite which must exasperate the most sympathetic and admiring reader.

Moreover, to speak of Sainte-Beuve as a literary critic only is to prejudice some persons who entertain the idea that criticism—that is, books written about books—is, after all, a very secondary matter and may well be postponed till one has read all the great subjects of critical discussion. This view is quite erroneous. The function of the literary critic is not to chat with us about what we have read, but to teach us to read, to give us the critic's own enthusiasm, make us see what he sees, feel what he feels, in matter that would otherwise be dead to our unawakened apprehension. The critic does for books exactly what Thoreau and Burroughs and Torrey and so many other deservedly popular writers do for nature—that is, gives us his eyes to see with or teaches us to use our own. Nevertheless, to the general reader criticism is and will probably remain a secondary and rather unprofitable affair.

For these reasons it is important to insist on what has been so often and so strangely overlooked, that Sainte-Beuve is not exclusively or even primarily a literary critic at all. He himself

has given us the clew to the greater part of his work, to his main effort, in the pregnant sentence, "I botanize, I herborize, I am a naturalist of souls." Is not this the note of the age, the secret of Browning's struggle, of all his long, bitter endeavor? A naturalist of souls. Is not this the true cry of the contemporary of Darwin, to explore, to classify, to botanize, to herborize, to roam up and down the wide soul garden, probing, dissecting, watching with curious and sympathetic eye all human hopes and desires and passions and the fruits of them? This is what Sainte-Beuve did for forty years, quietly, curiously, absolutely simply, with none of Browning's display or formal rhetoric; and it is most extraordinary that he should have been misunderstood and discussed and treated as a mere judge and historian of literature. The explanation is not difficult to find, however. In the first place, literature was the necessary means to the end. Souls must largely be studied in books and papers and documents. The study of spiritual facts is often very intimately involved with the study of the expression of those facts, which is literature. This naturally led to confusion. And in the second place, Sainte-Beuve—it is one of his great merits—disliked and avoided generalization. In all his sixty volumes he rarely tries to get clear with himself about the principles of his work, and when he does he is unsuccessful, obscure and incomplete. He had the true, the essential mark of the scientific spirit, the love of observation for itself. The mere contemplation of fact, the delight of watching it unfold, develop, evolve, according to its natural laws, was enough. If these laws came of themselves to definite formulation, well and good; but formulæ were dangerous things, ensnaring, to be avoided, certainly not to be sought for. They were most of all dangerous to the naturalist of souls. In this quiet, patient temper, this perfect openness and receptiveness, Sainte-Beuve comes nearer than almost any one else but Darwin to the scientific ideal, and with Darwin he is one of the most representative minds of the nineteenth century.

Yet, although Sainte-Beuve seldom attempts any elaborate exposition of his mental attitude, it would seem as if no one could read him at all widely without becoming aware of it. Even in studies of distinctly literary figures, he is less often the critic than the moralist and psychologist. In his articles on Gibbon, for instance, there are perhaps two or three pages of direct dis-

cussion of the great history. The remainder is an analysis of the temperament and character of the man. "Is it criticism that I write in sketching these portraits?" we read in "Portraits de Femmes." "I doubt it. Criticism, in the exact sense of the word, often enters into them in only a very secondary manner." Again in the article on Chateaubriand (Nouveaux Lundis III), perhaps, on the whole, the most satisfactory statement of method and aims that Sainte-Beuve has left us, he says: "To be in literary history and in criticism a disciple of Bacon appears to me the great need of the age." But the force of the general impression can hardly be conveyed by detached illustrations. It grows and grows as we find our author constantly on the watch for psychological revelations, keenly alive to subtle modes of thought and emotion, gloating over documents which are perhaps of no importance as literature, but are intensely significant for the history of a human soul. "The inestimable value of the letters of Mademoiselle de Lespinasse," he says, "is that we find in them what we do not find in novels. They give us pure drama in its natural shape, as it reveals itself rarely in a few gifted beings. *The surface of life is rent all at once and we read bare soul.*"

It is as a reader of bare soul, then, that Sainte-Beuve is really great, really original. Of course others have been doing the same thing since the beginning of the world, all historians and all biographers, in their way and measure. Sainte-Beuve's originality consists in his immense variety and the richness which that very variety brings by the comparison of soul with soul, and in his thoroughly scientific attitude, his patience, his infinite, subtle comprehension and sympathy, above all, in his desire to present his subject simply and sincerely, with no thought of rhetorical impression or effect. In this regard it is most instructive to contrast him with Macaulay. Macaulay, too, sketched portraits, left a vast gallery of English figures, as Sainte-Beuve did of French. But we have seen that Sainte-Beuve was a "naturalist of souls." Well, Macaulay was a showman of souls. There is the difference. This comparison of Macaulay and Sainte-Beuve has always seemed to me peculiarly profitable, and recently I was delighted to find it emphasized by Sainte-Beuve himself. Writing of some historical personage, he says: "People have given him a little more physiognomy than he really had, perhaps,

following the dangerous advice of Lord Macaulay, which is very popular at present: 'The best portraits,' says that great historical painter, 'are those in which there is a slight admixture of exaggeration. Something is lost for accuracy, but much is gained for effect.'" The showman of souls, is it not?

The reader who likes accuracy better than effect, who loves the study of souls bare, souls simple, and thinks such study one of the most profitable things in the world, will find Sainte-Beuve's endless volumes an inexhaustible resource. They contain many detached psychological observations as subtle as they are perfectly expressed. But it is not the detached observations; it is the complete portraits of human beings that count. As in Browning, so here, we find all sorts and classes, but without Browning's effort and torture and restlessness, quieter—and deeper. Here are kings and queens and historical personages, Louis XIV seen clearly as a great monarch and a little man; Napoleon judged humanly in his grandeur and in his downfall; Frederick, who, "with a relative sentiment of justice and even of kindness, absolutely lacked the ideal." Here are literary men and artists, studied, like Browning's, not as artists, but as men. Here are quiet people, living thoughtful lives apart, utterly unknown to the general reader, yet furnishing sometimes the most interesting portraits of all, like Huet and Boissonade. Here are sinners, with their sin neither forgotten nor condoned, yet viewed with the large tolerance of one who understands that sin is too possible for all. Here are saints drawn not only with tender reverence, but with the deepest sympathy, the most enthusiastic comprehension of their mystical devotion. And as we have seen that the highest of Browning's effort was his varied portrayal of the hearts of women, so with Sainte-Beuve, the best, the richest of his work is perhaps the long series of studies of the women of the seventeenth and eighteenth centuries, La Grande Mademoiselle, Madame des Ursins, Madame de Maintenon, Madame du Deffand, Mademoiselle de Lespinasse, Madame Geoffrin—the list is well-nigh endless. Above all, these portraits of women illustrate the point of my argument, for hardly one of them can be called in any proper sense literary criticism at all. They are specimens exquisitely preserved in the herbarium, to use Sainte-Beuve's own phrase, of a naturalist of souls.

And now, what if we apply Sainte-Beuve's method to his own

character and try to make some such analysis of him as he makes of others? The task is as difficult as with Browning, for an opposite reason. Browning tries to tell us nothing of himself, Sainte-Beuve tells us too much, shows us such a vast and many-sided sympathy that it is difficult to say what is and what is not the real man. Yet one question we can deal with clearly and simply, does this wide study of human life, this close, scientific analysis of souls, bring him joy, delight, a full contentment in his work? And our answer is immediately, no. The records of his conversation in the Journal of the De Goncourts, though possibly prejudiced, would go a long way to prove the point, but Sainte-Beuve's own printed words are surer and more than sufficient testimony. It is not only his general scepticism, which appears again and again—"I begin to doubt once more, doubting being my strong point"—it is his overwhelming melancholy, the cruel, black ennui which seems to load his soul with an increasing burden of despair. "I have arrived at a point of absolute indifference. All that counts is that I should do something in the morning and go somewhere at night." "Why do I no longer care for nature, for the country? Why have I no longer any pleasure in threading little green paths? I know that the paths are the same, but there is nothing any more on the other side of the hedge. In old times more often there was nothing, but there *might* be something." "Ripen! Ripen! One hardens in some places, one rots in others, one ripens never!"

Must we assume, then, that joy, the natural, tranquil sunshine of Shakespeare and Chaucer, is inconsistent with the scientific spirit and attitude? Let us hope not. The sadness of Sainte-Beuve, at any rate, may be accounted for by a simpler explanation. "Like Solomon and Epicurus," he tells us, "I have arrived at wisdom through pleasure. That is better than getting there painfully by logic, like Spinoza and Hegel." A more primrose path perhaps, but full of pitfalls and byways, leading to disillusion and satiety and spiritual death. The sordid irregularities of Sainte-Beuve's celibate career had much more to do with his melancholy than had the scientific spirit, and the striking remark which he quotes from Madame Lambert finds its aptest application to himself: "*Il semble que l'âme du voluptueux lui soit à charge.*"

On the other hand, Browning managed to combine, at least

in theory, a rugged and energetic optimism with his soul study. And if any one feels that Browning's theory was better than his practice the case of Darwin would be sufficient to show that the scientific spirit can bring joy in fullest measure. Here is a man giving his life to observation, to the study of fact, and giving it with the richest contentment, because he gives it with love. "There is always profit in loving," says Sainte-Beuve himself. Nevertheless, it is the deplorable lack of love that spoils all his study of the nineteenth century. "Everything palls," he tells us again, "except the pleasure of understanding." But mere understanding, without love, is pale and stale and wearisome. With love the naturalist of souls must find inexhaustible delight. What a field is his compared to that of the other naturalist! Instead of species, the infinite diversity of individuals. Instead of the remote affinity of animals and plants, the study of his nearest kin, the study of himself; for is not every human passion and pain and ecstasy and misery yours and mine?

Well, we stand on the threshold of a new century. What will be its key-note, as against convention in the eighteenth century and in the nineteenth, nature? It is hazardous, indeed, to guess, but would not a possible suggestion be authority? The nineteenth century was, above all, an age of knowing, and by the wonderful irony of fate it ended logically with an enormous and universal ignorance, even formulating that ignorance in a definite philosophy, agnosticism. The twentieth is bound to cut the knot by doing, and, oddly enough, it starts with a philosophy of its own, pragmatism, which philologically means doing and theoretically seems to preach just that authority I have suggested above.

But, in any case, the profound Hegelian doctrine, to which I alluded in beginning, teaches us that the new age, even when it involves reaction, must gather into itself the important elements of the age preceding. The splendid effort of the nineteenth century, its struggle for knowledge, its vast investigation of nature, cannot be lost, above all, its tranquil, tolerant, patient scientific spirit. And I believe that, as the years go on, the world will find the manifestation of that spirit quite as much in the "Lundis" of Sainte-Beuve as in "The Origin of Species" and "The Descent of Man."

GAMALIEL BRADFORD, JR.

THE SOCIAL IDEAL AND THE CHRISTIAN CHURCH.

BY BISHOP CHAUNCEY B. BREWSTER.

In a former paper the writer presented some considerations touching the democratic ideal and the Christian Church. That subject it were impossible to consider to-day without taking account of the social quickening that characterizes the present age. The eighteenth century had its issue in the stormy assertion of individual right. The French Revolution was the catastrophe and cataclysm which marked the close of an epoch. There is not a little to bear out the contention of Mazzini, which he began as early as 1835 in a French Review, that the Revolution was "a practical summary of the conquests of the past, not a programme of future conquests." It is true, Mazzini also wrote: "The Revolution was directly descended from Christianity, . . . Christianity is the Religion of the individual." This gross misconception quite ignores those social characteristics which are essential to Christianity and find embodiment in the very institution of the Church. The French Revolution, however, in its attack upon authority, proceeded upon the accustomed atomic and individualistic lines. Vague presentiments of the future there doubtless were. But the great principle of the coming age, association, was "an idea unknown to the official inspirations of the Revolution." The brute force of individual rights was "the one formula of every Assembly that controlled the Revolution."*

Individualism survived into the following century and found manifestation in the "Manchester School" with its doctrine of *laissez-faire*. But there prevailed a signal reaction. The nineteenth century, as a whole, was marked by the principle of association in nationality. Instances we see in Greece, Austro-

* Mazzini: "Thoughts on the French Revolution of 1789."

Hungary, United Italy, these re-United States, Germany, the Balkan States and Canada. As the nineteenth century was marked by political co-operation so the twentieth century is thus far occupied with social co-operation. The pendulum has swung far over from the individualism of a former time. Moral progress always involves a finer sense of right and justice, and the growing social sensitiveness is evidence of a progressive age. The added weight of emphasis upon social relations is the pressure of the finger of God, the insistence of the Spirit of the living God urging forward to better things.

We are evidently in a stage of transition. The questions at issue would seem to touch the rate of progress and the final goal. Undoubtedly there is to be a considerable enlargement of the functions of government. Some will think the wise and reasonable attitude is to welcome State action so far as it promises to help, and to oppose it so far as it seems likely to interfere with the free development of manhood or womanhood in the nation. Others will think that the present system of wealth distribution is so far incompatible with justice and right that it must be done away with and give place to the collective ownership of productive property and administration of industry in a co-operative commonwealth. We are certainly moving. The question is how fast to go and how far, and whether it is better to proceed by methods of evolution or revolution. At all events, it is impossible to mistake the prevailing tendency of the age. Political problems now inevitably include social factors. There are social programmes taking on some of the characteristics of a religion.

We well may hesitate to plunge into the revolutionary scheme proposed by Socialists. In the first place, there recurs the old question between things visionary and things practical. The need of the latter, in fair measure, is suggested in the familiar rhyme:

> "She took in sewing,
> To keep things going,
> While he reformed the world."

Grave problems are not to be solved by clever theories and fine sentiments and brilliant hopes. The rainbow that spans the cataract will not serve as a bridge to cross the chasm. To deal with stubborn facts there is need of something substantial and

practical. To elevate social conditions there must be a firm fulcrum; and that is found not in things as they ought to be, but in things as they are. It is easier to pull things to pieces than to put them together again, especially if it be an exceedingly intricate fabric the construction whereof is not thoroughly understood in every detail. In the proposed programme many things are to be considered. For instance, what kind of men will obtain control of such tremendous power over the industrial life of a whole people, over the daily doings and the destinies of each and every individual?

Were it not better, in attempting to improve the vast mechanism of society, to go, as it were, step by step, making each readjustment or change in the machinery as it is seen to be necessary, and thus to proceed experimentally with a view to how it works? Such procedure may be stigmatized as opportunism. But it is in that way that the movement of democracy has advanced in England,

> "Where freedom broadens slowly down
> From precedent to precedent."

Indeed, so far as Socialism should make the sphere of personal liberty too circumscribed for it to live and move in, so far would it be at variance not only with the democratic ideal, but also with Christianity and that freedom for which Christ made us free. The social character of Christianity it is impossible to overestimate, because there the social never gets away from the personal. Christianity, while never individualistic, is always personal. It recognizes that persons are the stuff of society and that social strength must be made up of personal tissue. It is a question to be asked and answered whether the Socialistic scheme, if carried into effect, would tend to the degeneration of this personal tissue or no, whether it would be favorable to the development, or tend toward the withering by atrophy, of those characteristics of self-reliance, industry and thrift, and that energy in initiative and sustained endeavor, which are the very fibre of robust personality and, as such, essential to the vigor of the commonwealth.

Again, Socialism puts all the stress and strain of social regeneration upon the State. But the State is not the only social institution. Before the State comes the Family as the true unit of society. So far as Socialists assail the sacred integrity of the

Family, so far has the Church a witness to bear on behalf of the Family as the basis of society, as furnishing the norm of social relations and as God's primary school for training therein.

As against a merely materialistic Socialism the Christian Church is to bear witness to the moral and spiritual purposes and destinies of human personality. With liberty won, the question remains, liberty for what? The free man is a force set free—for what end and purpose? So far as the Socialist scheme is limited to material welfare and confines its appeal to considerations of self-interest, there might be question whether it be not a subtle expression of individualism, a turning up of the reverse of the same medal with as selfish a stamp. The Christian motive appeals to something quite above any sordid self-regard. The Christian purpose for personality aims at something higher than a general average of physical well-being and comfortable mediocrity. With this motive and this purpose, with its appeal to the high and heroic in human nature, the Christian Church is equipped to arouse corporate enthusiasm as no other agency could.

Furthermore, the Socialism that claims to be scientific and self-consistent is professedly based upon class antagonism. This is avowedly insisted upon as a cardinal doctrine involved in the nature of things, as a necessary law consequent upon an inevitable conflict of interests between employers and employed. This ground, it is true, has been departed from more or less widely by some recent writers; for example, certain of the Revisionist school of Socialists. Such departure, however, is not generally recognized as consistent with logical and genuine Socialism. Representative exponents of the system continue with no less emphasis to insist upon the "class war."

Here the Church of Jesus Christ has a witness to bear and a message to deliver. Peril threatens any society wherein class is estranged from and arrayed against class. Democracy cannot be healthy or safe where there is continual clash of classes. France furnishes unhappy illustration of conflicting elements. An evident need in democratic society to-day is of something that shall bring opposing elements together and bind man to man and class to class. The Middle Age guilds played a great part in drawing together the people of a town. It is not long since here in America master and men and apprentices worked side by side.

New conditions of industrial life have taken away that personal contact which is a wholesome thing for humanity. In modern society the evil is intensified by the specialism which divides men one from another and shuts them out from much mutual sympathy and community in thought. Science may tend toward a common level in the physical and material order, bringing accessories of comfort and convenience within the reach of the many. But as differences here disappear, there rise invisible barriers that more and more separate class from class. This insidious spirit of caste science does not withstand, being itself selective rather than democratic.

The menace to society and to the democratic ideal in the estrangement and antagonism of classes must be confronted by Christianity. Nothing else has the requisite inclusiveness and moral compulsion. Christianity is concerned with personality. But its revelation is a disclosure that personality implies more than mere single individuality. Its great purpose is personality taken up into brotherhood and corporate fellowship. Because it is personal it is, moreover, social. It means that, as John Wesley said, "ourselves and others cannot be put asunder." Christians must not be content to accept any doctrine of an irreconcilable conflict of classes. In its long eventful history the Church has brought to bear upon the world influences of emancipation and uplift, for example, on behalf of the slave, woman, the feudal serf. But it has for its mission not only to break yokes, but also to bring men together and hold them together in their freedom.

A watchword of revolution has been: "Liberty, Equality, Fraternity." But in France an artificial equality which ignored personality made a hideous farce of fraternity and of liberty a most tragic travesty. With less talk about equality and more fraternity, liberty to-day might be largely left to take care of itself. A half-century ago John Stuart Mill said: "But society has now fairly got the better of individuality."* We have seen, however, that it is still possible for individuals to get the better of society. We are learning the need of that genuine fraternity, brotherhood between man and man and between class and class, that finds in any advantages of man or class only enhanced opportunities of service to the common weal.

There is already, among the masses of wage-earners, something

* "On Liberty" (published in 1859).

of a passionate fellow-feeling. Let a like fellow-feeling of humanity move, as I believe it is more and more moving, those at the top, to hear the cry of those beneath and look upon their burdens, and we may hope for a growing passion of brotherhood that shall be mightier than hatred and strife, and make for righteousness and peace and loving service.

To this brotherhood the Church cannot help bearing a certain witness, because its essential constitution transcends all distinctions of class, caste, race or color. Its great sacraments are signs and seals of brotherhood, of birth into one household, of fellowship at one Father's table. This inevitable witness in ideal the Church is to make actual, positive and inclusive. There ought to be no possibility of mistake regarding the attitude and spirit of a Church that has been teaching each of its children, along with his duty towards God, that his duty towards his neighbor "is to love him as myself, and to do to all men as I would they should do unto me." Such an attitude and spirit would surely prove effective to work wonders. There should lie our hope and endeavor, not in the perpetuation of class antagonism, but in finding some principle that should, instead of sundering, bring closer together interests that now seem opposed. Said the labor leader, Mr. John Mitchell, at Yale last year: "If I were asked to propose a solution of the whole vexed problem of modern industrial life, I should unhesitatingly advise a literal application of the Golden Rule." Those be weighty words. In that attitude and spirit Christian effort might reasonably be directed toward making the combinations both of labor and capital a beneficent enginery to advance the brotherhood of men.

The Church of Christ cannot identify itself with the Socialistic scheme. In nature and purposes that scheme is economic; the Church is spiritual and personal. The Socialistic scheme for society aims at the economic transformation of environment. The Church's aim is the spiritual transformation of the persons that make up society. Socialism aims at reconstruction through revolution; the Church at progressive reform through evolution. They work on quite different lines.

This diversity, however, in aim and operation does not necessitate antagonism in spirit. While the Church of Christ, following His example, will not identify itself with any political or semi-

political scheme for a revolutionary destruction and new construction of the fabric of society, it ought not to withhold genuine sympathy with some things to be found in the movement known as Socialism; for example, its frank and fearless facing of evils, and, again, certain principles like the superiority, so eloquently argued by Mr. H. G. Wells,* of the spirit of service over the spirit of gain. Especially will be discerned hovering above the general movement a certain ideal. For we have now not the democratic ideal alone. From the seething ferment of our time slowly has been emerging the social ideal, which is taking shape before our eyes. This ideal, brooding over the chaos of the age, beckons on to some better thing God has for men.

In this social ideal there is involved nothing that is unreasonable. It means at the outset simply a recognition of certain things, namely, sufficient food and raiment, decent housing and time enough to rest and to think, as the normal inheritance of humanity. It means refusal to be content while large numbers of human beings here in our midst have not these things; while, for instance, little children come famished to school, and while other children toil through the hours when they ought to be at school or in the night hours when they ought to be asleep, and while the wages of any working-women are so low as to involve fierce temptation to sell their sacred honor. The social ideal is, after all, simply that Christian ideal, of the personality in all sorts and conditions of men, now with more imperative cogency compelling loyal and large-hearted endeavor that it shall be in completer fulfilment realized.

If it be true that Christianity in principle means not individualism, but solidarity, if Christianity, while not ignoring personality, yet has, as its ideal, personality fulfilled in social relations, then, in a time like this, of transition from individualistic principles and ideals, the Church of Christ has plainly before it a task in the world. It is no time to yield to that old besetting temptation to hold aloof from contact with the world. The sociological trend of thought and life to-day is a realization of essential characteristics of Christianity and makes rightful demand upon Christians.

Certainly the Church is to refrain from seeking to allay the restlessness and fever of social discontent by administering any

* "New Worlds for Old." Chap. V.

anodynes that superinduce social lethargy. Its plain task is to heal, tone up and invigorate the social system, to quicken and guide those social promptings and aspirations, and make men know assuredly that democracy means the wider opportunity and the larger obligation with respect to social service. For accomplishing this task the Church has no mere maxims: it ought to bring to the ferment of social discontent and strife the Spirit of Jesus Christ.

It should be evident beyond question that the Church is bringing the Spirit of Jesus Christ. That would require that it be itself thoroughly possessed by that Spirit. The problem that immediately confronts the Church is not to Christianize Socialism, but first to socialize Christians, until their ideal principles shall be real and ruling principles, until they obey the rule of principle and not contentedly rest in sentiment. For instance, the sentiment of pity for misery does not suffice when there is appeal for justice on the ground of wrong. That is an appeal to which the Church corporately, and Church members personally, cannot afford to be deaf and irresponsive. Nor must there be repose in any abstract sense of justice or vague generalities and commonplaces about just dealing or mere vaporing indignation against wrong. There is need of definite application of the Ten Commandments to life and society, the seventh and eighth as well as the sixth; nor should it be forgotten that one of the commandments forbids covetousness. It is for the Church with prophetic voice to rebuke covetousness and greed of gain, selfishness and injustice as sins.

It is for Christians to endeavor to translate the social ideal into actual conditions. Their Christianity is to be definitely applied in specially directed effort against particular and concrete ills and wrongs. Our Lord upon earth dealt in no vague spirituality out of relation with men's actual life and the ills they were suffering. There is a lesson to-day to be learned from any movement, so far as it manifests definite aims and directed effort against concrete evil, and so far as it manifests faith in the possibility of redressing wrongs and remedying ills, faith in the *possibility* of progress in social relations and conditions. Then, confronting the possibility, is all the latent personal power in the membership of the Church. Thence ought to go forth what dynamic energy to deal with certain evils, for instance, the wicked

waste of life in child labor! In questions touching humanity the Church is not to be a hindrance to progress. Christ's people are to be lined up on the right side of such questions, in support of reasonable legislation and reform. An example of definite dealing with concrete ills, at any rate so far as to face the actual problems, may be found in the Chicago diocesan report of 1909 on Social Service.

The Church of the Son of Man is for man and nothing that is human should it deem foreign to itself. Its sphere is as wide as the life of man and includes the range of his social and industrial life. Failure here means betrayal of trust. To such failure is to be attributed the indifference to the Church on the part of many working-men. The masses of the wage-earners have respect for Jesus Christ Himself. Still they will cheer His name. Still His personality is potent. Still He draws men to Him. If men are alienated from the Body which was to do His work in the world, it must in some measure be through the fault of that Body. The Church is not always clear as to social injustice. The Church has not always been the champion of the poor and oppressed. The Church has sometimes regarded not the wrongs of the poor, being blinded by the god of this world. The Church is not manifestly before men's eyes a spiritual republic, the commonwealth of man.

If the Church is to leaven twentieth-century democracy and preserve what is good therein, we have freely to recognize, and to endeavor, so far as in us may lie, to realize, the democratic and social ideals as bound up with genuine Christianity, as ideals whereunto the Church must be loyal, if it would deserve the names Christian and Catholic. Yes! The Church needs these ideals to keep it true to Him who loved to call Himself the Son of Man. Democracy needs the Church to save it from becoming worldly, materialistic, selfish and base. Let the Church be true to the design of its Founder, loyally and worthily bearing witness to these principles wrapped up with the revelation committed to its trust and the mission given it to accomplish; and let democracy be thus won by the Church to consecrate itself to Christ's inspiration and guidance onward and upward: then we may hope, and in hope work, for the new earth wherein shall dwell righteousness and peace and joy.

CHAUNCEY B. BREWSTER.

THE INSURGENT MOVEMENT IN CONGRESS.

BY VICTOR MURDOCK, M.C.

THOSE who have been designated popularly as "Rules Insurgents" in Washington are moved to protest by a very simple provocation. They have never been strong numerically. They have never had more than the most temporary organization. They have never held out the hope of reward to recruits. Each member of the band has suffered loss in committee preferment in the House of Representatives by reason of his attitude. They have been defeated frequently. Yet none of the discouragements they have met has dispersed the group.

Why does it hold together? Because the provocation which has led them into protest is fundamentally just, and every man in the movement recognizes that his cause is greater than he or his associates, and that the idea which has claimed him as its follower will, if need be, march on without him or his fellows; indeed, without a following at all. Coupled with this belief is the conviction that the march of the idea must end in ultimate triumph, victory coming immediately public opinion is fully informed.

If the protest of these so-called insurgents were a struggle of those who have not against those who have, it could not display this vitality. If it were a contest of those who are out against those who are in, its dissolution would have taken place long ago. It is neither the one nor the other.

It is, on the contrary, a struggle of a group, not against another and larger group, not against a faction or a man, but against a perverted legislative system. The system under attack is not wholly peculiar to the Federal Congress. It is known in small degree to ward caucuses, town meetings, State conventions, State Legislatures, conclaves of fraternal societies and assemblies of

other organizations having parliamentary procedure. But the perversion of the system has reached its climax in the House of Representatives. There its oppression is heaviest and there it was the most natural thing in the world it should meet its first serious challenge.

The system under attack has the evil portion of its life in the successful denial of vital participation on the part of the majority in constructive legislation. It has perverted the instrumentality of cloture, originally intended to expedite the business of a congregation of men, into a method for preventing the majority from recording its desire. For cloture in the House of Representatives has ceased to be used merely for bringing a question to a concluding and deciding vote; its greater office has been to force the majority not merely to conclude the consideration of the question by a vote, but to fashion and determine the very nature of the question itself by that vote. There is a mighty difference.

To give a concrete instance: the recent tariff bill was reported out of the committee into the House. Cloture was applied for one purpose, generally understood and endorsed, that is to expedite the measure and force its consideration with despatch to a concluding and deciding vote. But cloture was applied for another and far more weighty purpose, not generally understood, to make the tariff bill what those who dominated the committee which reported it, wanted it to be, and to prevent the majority of the House from making the bill what the majority wanted it to be. The committee which framed the bill had access to every item of the thousands in the tariff measure. The committee could change any one of the items or all of them. The House itself under cloture could change but five items in the bill: barley, barley malt, lumber, hides and petroleum.

Now as possession is nine points in law, initiation is nine points in legislation. The man who frames a measure has a great advantage over those who would amend it. This advantage becomes complete when, through cloture, all right to amend the measure is denied. The deciding congregation of men are then asked to vote up the proposal as a whole or reject it. It cannot be known to the great body of American electors that most of their major legislation is passed through the House of Representatives in this way. It may be well to cite another instance. The Aldrich

emergency currency law had its origin in a currency famine in October, 1907. Congress assembled in the following December. The pressure of public opinion upon Congressmen was general in the form of a popular insistence that provision be made for an emergency currency to be used in similar crises. The Aldrich idea was broached. The expression of the members of the House was overwhelmingly against the Aldrich idea. Thereupon another idea, the Vreeland plan, was born. It was acceptable to the House, which passed the Vreeland bill and sent it to the Senate. In the Senate the Aldrich idea was attached in its entirety to the Vreeland bill and both plans came back as a single bill from the Senate. The session was drawing to a close. Notwithstanding popular demand, Congress had passed no law meeting the necessity of emergency currency. Cloture was applied, the right to amend the 'Vreeland-Aldrich' bill shut off and Congressmen were told to accept the Aldrich idea, which they did not endorse, or return to their people without any response whatever to their demands. Congressmen accepted the Aldrich idea, under duress, and passed the bill.

Now those who are called insurgents are not against cloture. They are for the despatch of business, and in a large body of men debate upon occasions must be limited. But they do not endorse cloture when it is used, not to expedite public business, but to exclude the majority from vital participation in the construction of major legislation. Their exclusion from such participation is at the bottom of their attack upon the system. Their impeachment of the system arises because the right of representation, in the sense of vital participation in constructive legislation, has been monopolized by a few men and finally lodged in its entirety in the person and office of the Speaker.

If I can, I would like to convey to the man who has had no Congressional experience the extent to which this transfer of power from the House itself to the person and office of one man has gone. The right to representation in the House is not wholly an affair of the individual Congressman. It is primarily a right that belongs to the 200,000 people in his district. Whatever his personal feelings in the matter, he ought to have a keen regard for the function of representation as it is related to the people who have delegated him to act for them. Many representatives do. The great majority of men who come to Congress bring

with them an abiding faith in the good sense and justness of the people. They have come to know the mass of electors as individuals who are hearty in their commendations and slow in their condemnations of public servants, and of infinite patience in public affairs. Faith in the people is a cardinal tenet of representatives newly come to Congress. But the new representative finds, after the blindness of his first confusion, that the 200,000 people who have sent him as a representative are to have no vital participation in the construction of major legislation through any exercise of his representative functions. He may voice his sentiments endlessly: he may vote "aye" or "no" on a proposition of importance. But he cannot amend it to his own liking; he cannot even offer those about him the opportunity to vote up or down the change he would propose. His next step is one of humiliation. He may personally petition those who have the privilege of amending the proposition within the secret committee which is constructing the bill. But when he takes this step, it is with the thought that the constituents who sent him to Congress delegated him as a representative and not as a petitioner. If he swallows his humiliation and becomes personally a suppliant before a committee, he finds at last that the power of initiation, the power that is nine points in legislation, is not in the committee, but in that part of the system which creates the personnel of the committee—the Speaker of the House.

If he does not succumb to the system at this point and surrender his desire to go further into the mysteries through which popular representation has been distorted into an autocracy, he will continue his investigation and the next step involves analysis. Granted the Speakership has taken to itself the power of the individual membership of the House, how is it lodged and how exercised? The power which has been shifted from the House to its presiding officer becomes in the Speaker twofold in character. It is personal and official. This circumstance gave origin to the phrase, which has become a popular definition, "Cannon and Cannonism." The Speaker exercises his power personally in selecting favorites for important committees and punishing others by assigning them to poor committees; by making up committees of men who agree with him on certain phases of important pending public measures; by placing upon measures which are to be pushed through under cloture the imprint of his personal idea;

by extending recognition on suspension day to those he desires to favor. He exercises his official power by his control over business. He may permit consideration of a measure or prevent its consideration. This he does under the rules and in particular under three rules, one of which bestows upon him the chairmanship of a very small but most important committee called the Committee on Rules, another which gives him the right of arbitrary recognition and another which permits him to name not only the standing committees, but to designate the chairman of each committee. No one could differentiate distinctly between the use of the Speaker's personal power and his official power in all transactions. Ordinarily the Speaker uses both, and a diminution in either of his powers perceptibly weakens him in both.

The service of the Speaker on the Committee on Rules is important to the office in this. The committee has as its chief function the right to apply cloture, to put through the House a concrete measure without permitting the House to amend it. The Speaker dominates the committee. He decides upon the form of the measure and is its chief advocate. And then when it is put before the House, he mounts to the Speaker's chair as judge of the court before which the trial of his own measure is to proceed.

The power of the Speaker in recognition, when it is fully understood by the public, must be astounding. Every man who has served as a delegate in a ward caucus, fraternal society convention, conference or other conclave knows that there is an arbitrary element in the presiding officer's power of recognition that may not be eliminated and which is often used selfishly and to further some concerted and often secret prearrangement. If two men in a meeting rise simultaneously a presiding officer must name arbitrarily the man who is to speak first. There is no help for this, and a great many people think that this is the complaint against the Speaker by those called insurgents. But this is not the complaint. Under the rules and the voluminous precedents which have grown up under them, the Speaker may refuse to entertain a motion by a member when the member has no competitor for recognition and when the member asking recognition is in order. The formula in use on these occasions, and they occur on days when it is in order to suspend the rules, is the ultimatum by the Speaker, after he has heard the motion of the

member seeking recognition: "The gentleman is not recognized for that purpose."

The power of the Speaker in naming committees is that which accrues to any form of close military organization. The Speaker is the general of the House and the chairman of committees are his field marshals. Control runs not upward from the members to the Speaker through the chairmen of committees. It runs downward from the Speaker through the chairmen to the members. There have been many occasions when the magic words, "The Speaker wants this measure passed," passing electrically through the House, saved the day for a bill, as, conversely, there is one known instance when a majority of Congress petitioned a Speaker to permit consideration of a bill and were denied.

Now those who are called insurgents desire (1) to make the Speaker ineligible to a place on the Committee on Rules; (2) to take away the power of the Speaker to refuse recognition when recognition is in order and there is no rival for the floor when a member asks it; (3) to have the House itself select its own standing committees. There is no effort by the insurgents, and there has been none to do away with any of the procedure which makes for expedition in public business. The power of closing debate is not to be touched. The Reed rules against dilatory motions and for counting a quorum are to be left undisturbed. The means to overcome a filibuster and proceed to a final vote on all measures will stand in all its efficacy.

It is proposed that the Speaker shall surrender his monopoly in legislative initiation; that he shall give up a control that cuts the convictions of representatives to fit the irregularities of his personal caprices; that he shall lose his power, be it personal, official or both, which enables him to block and delay public business through the device of the pigeonhole, refusal of consideration and the postponement of mandatory bills. But most of all, it is proposed to give back to the membership of the House the right of vital participation in legislation, the privilege of reflecting, not the wish of the presiding officer, but the wish of their constituencies.

So often attacks upon existing systems which have the prestige of long existence are fanciful that I would again repeat. It is not proposed by those called insurgents to run the House without rules; it is no part of their plan to do away with the previous

question which stops debate when a majority so wills; it is not intended to abolish the Committee on Rules which can compel immediate action upon concrete propositions; it is no part of the changes proposed in the rules that the Speaker shall be compelled to recognize a member when the member is not in order in asking recognition; it is no part of the correction sought by the insurgents that a way shall be opened for the minority to obstruct and delay public business; it is not asked that the Reed rules, which prevented filibusters, be relegated; it is not designed by any one that any changes shall give the individual member such power as would enable him to block or embarrass orderly procedure.

There is no attack upon the procedure for the despatch of business. The attack is upon that part of the system which denies vital participation in constructive legislation by the membership of the House. The attack has one purpose in view and one purpose only: to make the House of Representatives what it was designed in the Constitution it should be, what it must be, if it is to be responsive to the genius of this democracy and in harmony with the spirit of progress of this people, representative not only in name, but representative also in fact.

VICTOR MURDOCK.

CONTEMPORARY MUSIC.*

BY HORATIO PARKER.

A FAMOUS orchestral conductor once told me that he was glad he should be dead in fifty years, so that he should not have to hear the music of that time. It is needless to say that he was conservative, but it should be stated that he was and is one of the best-known and most efficient conductors we ever have had in this country. Although his remark is typical of the critical attitude of many who have to do with new music, yet it does not in the least represent the attitude of the public, which is interested and pleased as never before with the music of our own time. There have always been people to declare that the particular art in which they were interested, at the particular time in which they lived, was going to the dogs. And there seem to be peculiar excuses for this belief in music-lovers just now. But there ought to be some way of reconciling the pessimism of the critics and the optimism of the public which finds eloquent expression in the buying of many tickets. By critics I do not mean merely the journalists. These have been so often so rudely shocked that they not only fear to tread, but fail to rush in, and at a first hearing of new things are fain to give forth an uncertain sound which may be taken for approval or the reverse in the light of subsequent developments.

The pursuit and enjoyment of music call for the exercise, on the part of its devotees, of three principal functions widely different. These are the functions of the composer, the performer and the listener.

The composer is the source and motive power of all art music, the producer, who draws his inspiration from the recesses of his inner artistic consciousness, whose desire and aim is to realize

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as well as possible the ideals with which his brain is filled. He seeks to give expression to musical ideas which shall call forth sympathetic feeling in those to whom the utterance is addressed. Although in some cases it is apparently meant for an ideal audience which has as yet no existence, yet if the utterance be true and skilfully made it will in no case fail of audience or of effect even though the time be delayed.

The second function necessary to the practice of music is that of the performer or reproducer. This activity is closely allied to the first, which is in truth dependent upon it. It is of high importance, and in ideal instances may be artistic activity of a kind hardly lower than that of the composer, but it is quite different in character. This also is at root, a manifestation of a desire for utterance, of the craving to awaken sympathetic feeling in others; but it is different in that it seeks and gives expression to ideas which are already in existence. The composer seeks those which do not as yet exist. The performer gives utterance to the thought of another, the composer to his own. But the work of the performer is the only actual embodiment for most people of the results of the first function, and he frequently clarifies and enhances the composer's work in a measure beyond expectation. It calls for self-control as well as for self-abandonment, for sympathy in the highest degree and a twofold sympathy—with the composer and with the audience; and for personal magnetic power to such an extent that it is no wonder, but perfectly natural, that people should frequently, even usually, lose all sight and sense of the composer or producer, who is remote from them, in admiring the work of the reproducing artist who is always near to them.

The third function is equally important with the other two, but more different from them than they are from each other. It is that of the audience or listeners. This function is largely misunderstood and usually undervalued. It is the exact opposite of the other two essentials of music-making in that it calls for receptive activity, if one may so express it, for intelligent, passive sympathy. This sympathy of the audience is the mark at which both composer and performer are aiming. It has no public or open reward, but well deserves one. Audiences certainly should receive credit for a good bit of intelligent listening, but it is hard to know just how or when to give it. The quality of sym-

pathy is intangible and difficult to appreciate. To most audiences it seems unimportant whether it be given or withheld except in so far as they applaud or not. And it is often hard to identify or recognize. It is quite impossible to know whether a smooth, impassive, self-restrained Anglo-Saxon face hides the warmest appreciation or the densest ignorance or indifference. They frequently look just alike. Nor can one ever tell whether the heightened color and brightened eyes are caused by the long hair and hands of the performer or by beautiful music. A particularly good luncheon or dinner preceding the concert might have the same outward effect. So the successful listener is a mystery in some degree, but a pleasing and very necessary one. His work is as important as that of the composer or performer, and his rewards are none the less real because they are not counted out to him in cash, because he pays and does not receive a tangible medium of exchange. They lie in the doing of the thing and in the conscious self-improvement which is the result of his effort.

In speaking of modern music we can omit personalities concerning classical composers. Their works fall entirely to the exercises of the second and third functions mentioned; but since the bulk of contemporary music is by classical composers, it may be well to speak briefly of the attitude of performers and audiences toward music of this kind. In an ideal world the performer and the listener would have the same kind and degree of pleasure in music except in so far as it is more blessed to give than to receive. It may be laid down as a general principle that performers of classical music have more enjoyment than listeners. Palestrina is a pre-classical composer with distinct limitations, and it is quite reasonable that he should appeal under ordinary conditions to a small audience, and to that imperfectly. He is a religious composer, and most audiences prefer to keep their religious feelings for Sunday use. He is a composer of church music to be sung in church, so that his work must miss its effect in a modern concert-room. We have very few churches in our country fit for the performance of Palestrina's music. I know a jail or two where it would sound wonderfully effective, but there are obvious reasons for not going so far in the pursuit of art as this remark suggests. It follows, therefore, that Palestrina in a concert-room is enjoyed by the average listener only by means of a lively exercise of the imagination with frequent, perhaps un-

conscious mental reference to what he has read or heard about it. If there is enthusiasm it is surely for the performers, because the music itself is so clear, so pure, so absolutely impersonal, that it is hardly reasonable to expect it to appeal to the listener of to-day. He is too remote from it and should not think less of himself because he does not feel an immediate response. In proper circumstances, in a real church, he would surely respond at once. For this music is the summit of a great wave of musical development. Nothing exists of earlier or later date which may be compared with it. It is ideal church music, ideal religious music; the greatest and purest ever made; and it can never be surpassed, for we have gone by the point in the history of the art at which such effort as Palestrina's can bring forth such fruit.

The public attitude toward Bach is much more natural and unconstrained. He is nearer to us, and is an instrumental composer. Although in somewhat archaic terms, his music is personal expression in a much higher degree than that of the absolutely impersonal Palestrina. Then the vigor, the life and animation which inform the whole texture of his work are so obvious that we cannot miss them. And, again, in his greatest work the feeling of design is so clear, the upbuilding and the resulting massiveness are so faultless, that the devout and habitual lover of music has the reposeful and at the same time exciting conviction that it is the inevitable which is being heard. Enjoyment is easy even to the unlearned. In those works which are less massive than the greatest the pleasure we have from Bach is more subtle, more refined and perhaps less acute, but we always feel that we listen to a master. Bach gives, perhaps, the highest satisfaction in his chamber-music. Much of his work is so very intimate that we find the balance of expression and form most easily when we are near enough to hear every note. The church cantatas in church, the great organ works in a comparatively small place, or the orchestral music in a hall of moderate size are among the keenest enjoyments for performers and audience. Applause, if it is given, must be for the performers or for their work. The compositions are above approval. It is like speaking well of the Bible to praise them.

In the work of his contemporary, Handel, whose texture is less purely polyphonic and instrumental, the enjoyments of performer and listener come nearer to a point of coincidence. The audi-

ence can love it more nearly as a performer does. We feel that the vitality in Handel is of a more human kind; that it is nearer our level, less supernal; but it is convincing and satisfying even when most popular, and is not disappointing upon intimate acquaintance, even though it lack the nearly superhuman fluidity and the marvellous texture of Bach.

The music of Beethoven is so well known, so frequently heard and so clearly understood that we may take it for granted and go on to music which is modern in every sense; made in our own time and addressed to our own personal feelings. Our present-day music is twofold in character, a direct result of the labors of Beethoven and his successor in pure music, and of Wagner and the romanticists in music which is not absolute. The symphony or sonata form is now archaic in the same sense that the fugue is archaic. Beautiful music may be, will be made in both forms, but that is no longer the general problem.

It is probably true that since the four symphonies of Brahms, no symphonic works carry the conviction of the symphonic poems of Richard Strauss. Although these are cast in a modification of the symphonic form of Beethoven, they always have a psychological basis or original impulse outside of music. They are intended to characterize in musical speech or language things which can only by vigorous effort be brought into any connection with music itself. The question naturally arises, Has the power of making absolute music entirely disappeared? I am loath to think so, but surely the practice has dwindled in importance.

We need not be concerned to examine these extra musical bases. Granting them to be necessary, one is much as another. But that is just what many are reluctant to grant. Many are brazen enough to enjoy programme music frequently in spite of, not on account of, the programme; and some people prefer the advertisements which are usually in larger print. Both save thinking. But what most critics object to is not the underlying programme. The commonest criticisms which we hear of strictly modern music charge it with a lack of economy, amounting to constant extravagance, a lack of reserve, amounting almost to shamelessness, and a degree of complexity entirely incomprehensible to the average listener, and, if we are to believe careful critics, out of all proportion to the results attained. Of course economy is a great and essential virtue in art, but it is not incompatible with

large expenditures. It depends on the size of the fund which is being drawn upon. Nor is explicit and forceful utterance incompatible with reserve. As for complexity, it may sometimes be beyond the power of any listener to appreciate. Perhaps only the composer and the conductor can see all the subtleties in an orchestral score. But is such complexity a waste? Not necessarily, for good work is never wasted. Although beauties in a viola part or in the second bassoon may not be obvious to the casual listener, however hard he may listen, they are not necessarily futile. They may, perhaps, be noticed only by the composer, the conductor and the individual performer, but they are there and they constitute a claim on the respect and affection of future musicians. If the hidden ones were the only beauties they would be useless, but as gratuitous additional graces they call for approbation. But one may not admire complexity for its own sake. It is far easier than forceful simplicity.

At a recent performance of a modern symphonic work which occupied an entire concert and called for nearly all possible familiar musical resources, I recall wondering whether or not it is a bad sign that a composer gets respectful hearing for pretentious trivialities and vulgarities uttered at the top of the many times re-enforced brazen lungs of an immense orchestra. There were a few minutes of exquisite beauty after more than an hour of what seemed an arid waste of dust and dulness. Meanwhile there were long crescendos with new and cruel percussion instruments working industriously ever louder and faster, but leading up time after time to an absolute musical vacuum. One's hopes were raised to the highest point of expectation, but it is not enough merely to raise such hopes. They should be satisfied as well.

It is such unsatisfying work as this which calls forth pessimistic forebodings as to the future of music as an independent art. Serious critics and essayists have made vigorous attempts to oust the music of the future from separate existence and to relegate it to the position of a human language which is to be used, when it is quite grown up to express, more or less pictorially, ordinary or extraordinary human happenings or emotions. And there have not been wanting composers to support this hopeless view. The application of pure reason to such emotional phenomena as our pleasure in music results occasionally in

something very like nonsense. The arts have different media of expression, but excepting the arts of poetry and literature the medium is no spoken or written language. Indeed, artists are apt to regard with some degree of suspicion one who expresses himself well in any other than his own peculiar medium. Amateur is a term of dread often applied to such men, and they are very apt to be amateur artists or amateur writers, perhaps both. It is consoling to think that all the words written and spoken about art have never yet influenced creative artists to any discernible extent. Their inspiration or their stimulus must come from within, and, after the preliminary technical progress over the well-trod paths of their artistic forefathers, which progress no great artist has ever yet evaded or avoided, their further advancement is always by empirical and not by logical processes; not logical except in an artistic sense, for logic in art, although very real, is not reducible to words until after it has already become an accomplished fact through empirical or instinctive practice.

The opera is just now the largest figure on our musical horizon, and opera, always responsive to the latest fashion, has undergone very important typical changes of late years. "Salome," by Richard Strauss, for instance, is more an extended symphonic poem than opera in the older sense. It is as if scenery, words and action had been added to the musical resources of such a work as Strauss's "Zarathustra." It is only about twice as long as "Zarathustra." Strauss's "Salome" and Debussy's "Pelléas and Mélisande" are typical modern musical achievements. In spite of the suavity and popularity of Italian operas of our time and of the operatic traditions of the Italians as a nation, they do not appear to have the importance of the German and French works just mentioned. These two men seem just now the most active forces in our musical life, and it may throw light upon the music of our own time to compare the two operas with each other. Not with other classic or modern works of the same nature; from such they differ too widely for a comparison to be useful. Old-fashioned people seek in opera a union of speech and song, and each of these two composers has renounced the latter definitely. No human voice gives forth any musically interesting phase in "Pelléas and Mélisande." In "Salome" the voices when used melodically (which is seldom) are treated like in-

struments, and it is no exaggeration to say that song is relegated entirely to the orchestra. The voices declaim, the orchestra sings. Each opera is a natural continuation of its composer's previous work. Each is an independent growth. Neither composer has influenced the other to a discernible extent. Yet it seems impossible to find any notable work of our own day which does not show the influence of one or the other of these two men.

"Salome" is in one act and lasts one hour and a half; "Pelléas and Mélisande" is in five acts and takes three hours more or less. The difference in time is largely due to the underlying play which determines the form and length of each opera. It may be granted that each of these two works reflects conscientiously the spirit of the underlying text. The shadowy, wistful people of Maeterlinck's drama are faithfully portrayed in the uncertain keyless music of Debussy, as are the outrageous people of Wilde's play in the extravagant, vociferous music of Strauss. "Pelléas and Mélisande" as a play is perhaps the extreme of mystic symbolism. It may mean anything, everything or nothing when reduced to its simplest terms in every-day speech. The motive of the play "Salome" is frankly an attempt to shock Herod—as tough a sinner as ever was drawn. The object is attained, and it is small wonder the audience is moved. There seems to be throughout Debussy's work, to speak pathologically, a preponderance of white blood corpuscles. In our day and generation we want red blood and plenty of it, and we find it in "Salome," a whole cistern spattered with it. At its first performance in New York so much got on the stage that ladies had to be led out and revived.

There is a great difference in the matter of pure noise. Throughout the whole of "Pelléas and Mélisande" one feels that the orchestra has its mouth stuffed with cotton-wool lest it should really make a noise. Most people want a healthy bellow from time to time to show that the orchestra is alive. And in "Salome" we have an orchestra with its lid entirely removed. The hazy, indeterminate, wistful vagueness which is so much admired in Maeterlinck's poem some people resent in the music which is too much like an Æolian harp, too purely decorative, too truly subordinate. The orchestra never gets up and takes hold of the situation as it often so frankly does in Strauss's "Salome." "Pelléas" is a new sensation, perhaps a new art,

but it is a little like looking at the stage through colored glass. Undoubtedly the play is the main thing.

The musical vocabulary of the two men differs immensely. Many admirers of the modern French school think Strauss's music vulgar because it really has tunes and because you can almost always tell what key it is in. In the French music the continual evasion of everything we consider obvious becomes monotonous and furiously unimportant after an hour or two. One longs in vain for a tonal point of departure, for some drawing, but there is nothing but color. The play in its form and vocabulary is the exact opposite of the music. Points of departure are not lacking in its construction, and the language is marvellously simple and direct.

There is now the matter of tonality to be discussed. The six-tone scale, which Debussy loves and uses so much, divides the octave into six equal parts. The augmented triad, which he uses perhaps more than any other, divides the octave into three equal parts. Both devices constitute a definite negation of tonality or the key sense. It may be that our grandchildren will not want tonality in our sense, and again it may well be that they will prize it more highly than we do. It is hard to imagine what can take its place; certainly there is no substitute for it in music, for the essence of musical form consists chiefly in a departure from and return to a clearly expressed tonality. A substitute for tonality outside of music would seem a hopeless abandonment of nearly all that makes the music of Beethoven, Bach and Wagner great to us. But to compare Strauss and Debussy. Other men might be found, but these two are most influential and both are typical. Each composer has a rich, individual, personal melodic and harmonic vocabulary; each offers new and satisfying rhythmic discoveries; each shows us a wealth of new and beautiful color. The differences in melody lie in the greater directness of Strauss's work. His tunes are sometimes garish in their baldness and simplicity. This is never true of Debussy, to whom a plain tune like the principal dance tune in "Salome" would seem utterly common and hateful. Polyphony is regarded as the highest, the ultimate development of melody. There seems to be infinitely more polyphonic and rhythmic vitality in Strauss's work than in that of Debussy.

Harmony has become an attribute of melody, and our har-

monic sense—a recent growth—furnishes the only means we have of definitely localizing formal portions of musical structure. Total absence of form is inconceivable in music, and form implies inevitably some degree of formality. This element is always clearly present in Strauss and always purposely absent in Debussy, who steadfastly avoids the indicative mood and confines himself apparently to the subjunctive. At great climaxes Strauss ordinarily seeks a simple triad, Debussy some more than usually obscure and refined dissonance. The harmonic element in Strauss is, perhaps, less refined, but less subtle. In Debussy it is less direct and less beautiful, but quite distinctly less obvious, if less varied.

That Strauss may be a positive and Debussy a negative force in music, the one greatest in what he does, the other in what he avoids, may invite the warmest kind of dissent. After all, we cannot get on without the common things of daily life, and, admitting his occasional lapses into the commonplace, or sometimes even lower, Strauss is the most consummate master of musical expression the world ever has seen; not the greatest composer, but the one most fully able to realize in sound his mental musical conceptions. To repeat, no musician was ever so well equipped to give to the world his musical creations, and yet since he was a very young man he has produced no pure music, nothing without an extra musical foundation; and he admits frankly that he does not intend to, although many of his friends and admirers hope still that he will.

Are we, therefore, to believe that music must be pinned down ever more henceforth to its illustrative function? One prefers to think that our living composers are unconsciously intoxicated by the luxuriance and wealth of new and beautiful musical resources which have only recently been placed at their command. That the new richnesses on every side tempt them to concrete rather than abstract utterance, it may be that in the future the highest flights of composers will be, as they have been in the past, into those ideal, impersonal, ethereal regions where only imagination impels, informs and creates. Illustrative music always has one foot firmly fixed on earth; how, then, can it rise to the heavens? Although it is not yet with us, the vision will come in the fulness of time; and when it does the whole world will know and follow it.

HORATIO PARKER.

WOMAN AND DEMOCRACY.

BY BORDEN PARKER BOWNE, LL.D.

By democracy I mean the Government of the people, for the people and by the people, and its aim is to secure the largest possible life and liberty for each compatible with the highest good of all. By the people, I mean all persons of ordinary intelligence and character, both men and women, who make up the community. The true democratic doctrine is that all such persons are equally free and independent, equally entitled to the free exercise of their individual rights and equally entitled to a voice in making the laws they are required to obey.

But this ideal could not be secured at once or at the start. We have been slowly working toward it and have not fully reached it yet. Man began with a period of blind instinct and brute force and slowly groped his way into properly human conditions. It was a long and tedious process to build our race into humanity and civilization. In the beginning, when man had to learn everything, the one thing above all others essential was to have some kind of social uniformity that could be depended on. As Bagehot says, "The first condition of even the crudest society was the formation of a cake of custom." It did not matter much what it was, provided it was fixed. In that primitive state individuals had no rights and could have none until the foundations of society were laid. Social co-operation had to be learned to make any effective society possible, and in the crude condition of all things human this had to be reached and maintained by sheer force. The first lessons in civilization were given with a club, and so far as appears they could not well have been given otherwise. Thought, reflection, criticism, ideals, were to come later, after the cake of custom had been formed.

But when this work was done, then began the higher work

of humanizing and rationalizing it, so as to make it serve the true purpose of all Government, the good of the people. That cake of custom which was necessary in the beginning had to be broken in the course of time. It was not a product of reason and hence was largely irrational. And hence again it needed to be modified and adjusted to advancing human needs. It served its purpose, but it could not endure. A crab without a shell will not live long, but a crab with a shell it cannot get rid of will not live much longer. In the same way society without a fixed social order could not endure, but a society which cannot grow is also in a bad way. If discussion and criticism begin too soon we have anarchy. If they are delayed too long we have stagnation. The progress of humanity has consisted in breaking the cake of custom and casting the shell; and the implicit aim has been to secure the rights of humanity and to lift the individual to a position of moral and political self-control. This is the meaning of the great democratic movement which has been going on and gathering force for ages. In some quarters it is complete for men, in distinction from women, and in many places it is still incomplete even for men, but the movement is gaining so rapidly that its final success is sure.

Now from this brief hint at social origins we readily understand the political subjection of women. In such a social stage, because of her physical weakness, woman was necessarily subordinate, and through the formation of religious superstitions she became more utterly subordinate still. She did not count in the conflict of physical strength and she did not count religiously. Hence for a long time a woman did not own herself, but belonged to her husband or her male relatives; and De Coulanges, in his work, "The Ancient City," has clearly traced this fact to the religious notions of early society. Here in early savagery and crude superstition we find the real source of the subjection of women.

Democracy, as we have seen, was impossible at the beginning of society. There was a time when a harsh social orthodoxy was necessary for social safety. Men could not be allowed to think for themselves, until they had learned the lesson of law and social co-operation. There must be a fixed social order as a barrier against social chaos before thinking becomes safe. But without progress the social order becomes destructive, like the shell the growing crab cannot throw off. The cave-man could not be ex-

pected to make a social order that would be ideal, and his work must be revised to adjust it to human needs. We have now reached a time when that early social orthodoxy is to be relaxed in the interest of social progress. Not the wisdom of the fathers, but the rights of humanity and the needs of to-day are the present standard of judgment. Thus the great democratic movement begins and gathers force, and the movement for the emancipation of women is but a part of the more general democratic movement. It is based upon the same reasons and is resisted by the same arguments of conservatism, fear, social risk and so forth.

In proceeding to consider some of these arguments, I do so only with expressions of apology. Ex-Governor Long once said that he had never heard an argument against equal suffrage that would not be an insult to the intelligence of a child twelve years old; and Mr. Howells declares that there are no arguments, but only prejudices in opposition. It seems, then, like an affront to intelligence to propose to consider them. But the actual force of an argument often has little to do with its logic. Edmund Burke used to say that he was most afraid of the weakest arguments, as they commonly indicate the strongest prejudices. It is this psychological fact that makes it necessary for us to keep on repeating familiar arguments in the hope of finally winning a hearing for the truth. And first of all let us inquire what this equal suffrage means.

If we are to believe the opponents of equal suffrage the community is menaced by some fearful danger. Homes are to be broken up, domestic ties broken, woman is to be unsexed and society itself to be overturned by something called suffrage. Bugbears and intimidations of this sort are quite effective with persons of a certain class. But others, more intelligent, and with some experience of the tactics of prejudice, before giving way to shudders and alarms, bethink themselves to ask what this terrible thing is that is to work all this ruin; and then it turns out that all that equal suffrage proposes is this, namely, that women of ordinary character and intelligence who are interested in the well-being of the community and in the laws that govern it should form an opinion upon these topics of social interest and be allowed to express that opinion in a vote which should count in the making up of the social verdict. That is, it means that they should have a voice in school matters, municipal matters, matters

of taxation, and so forth, and should have their opinion count in the public decision upon them.

Now, it does not seem that this should lead to any social catastrophe, or any great domestic disturbance, or to any unsexing of women; it rather appears to be something eminently right and proper and quite in line with the great democratic movement which gives those who obey the laws a voice in their making. If this unpleasant and rather obscure phrase about the "unsexing of women" means nothing more serious than this, only persons in an advanced stage of hysteria (for whom the bromides are plainly indicated) will be much disturbed by it. Indeed, such arguments are never to be taken seriously; they are only traditional ways of talking that run on mechanically, like a talking-machine with a speech in it. No intelligent man, when he stops to think, really believes that any social or domestic damage would be done if his wife should interest herself, and have a voice in the social questions that underlie the management of the school, the municipality, public charities, and so forth. The prominence of women in the social activities of the day is one of the most marked features of our time, and every one takes it as a matter of course, unless some one raises the question of voting. Women are already doing great service on our most important State and Municipal Boards, but, oddly enough, they do not know enough to vote. A woman is now markedly successful, in comparison with her masculine predecessors, as superintendent of the Chicago public schools, but she does not know enough to vote. The managers of our Women's Foreign Missionary Boards certainly show no less ability than the men in similar positions, but they do not know enough to vote. In social service it would often be hard to find their equals, but when it comes to voting the veriest male riffraff is superior. The Church could not endure without them, but they do not know enough to vote. The average wife manages the domestic budget quite as well as the average husband manages his budget, but she does not know enough to vote. It would seem that only a man in whom prejudice had had its perfect work could fail to be ashamed of such a position as this. He can only fall back on the conservatism of hysteria and prophecy—in the same way in which the conservative Hindu defends child marriage and similar abominations.

I have never seen any argument against equal suffrage of any

significance that was not rather an argument against universal suffrage, and, indeed, nicely considered, much of anti-suffrage, especially in "cultured circles," is really anti-democracy. We have all sorts and conditions of men voting now, it is said, and we cannot afford to have matters made worse by the admission of women, for then the community would be swamped in the great mass of ignorance, now all too large for the public good. But arguments against universal suffrage are irrelevant against woman suffrage. Let the suffrage be limited, if need be, but let it be limited by some rational test and not by mere accidents of sex, which have no rational connection whatever with the right of the moral person to express an opinion concerning social interests and the laws under which he lives.

For form's sake, however, we must say a word about the time-worn, but not time-honored, arguments against equal suffrage. Women are still declared, when the phonograph is running, to be unable to fight; as if fighting were the great service society demands, instead of being the lowest and cheapest of all forms of public service. Many distinguished and useful members of society would be ruled out by this test if impartially applied. The clergy, teachers, men over forty-five and a host of invalids are not included in our fighting reserve, but that does not matter. The phonograph was wound up so as to stop at women without any regard to logic. In any case we hope yet to turn the fighting over to the police and leave the ordering of society to intelligence and conscience, not to muscle. Indeed, the great peace movement, which is so promising a feature of our time, is an attempt to replace the belligerency of the human brute by the appeal to reason and conscience.

It is said, too, that we must not burden the women by adding to their already excessive loads. This sounds humane and gives an impression of masculine chivalry and also hints, with pardonable pride, at masculine vigor. Men, it is modestly suggested, spend all their time and grow gray in studying deep political problems, and they cannot consent to put burdens like these upon their already overburdened sisters. But if the good people who talk so had any sense of humor, they would certainly smile at one another, as Cicero thought the Roman augurs mutually grinned when they passed. For the fact is that the average voter does not spend very much time in preparing to vote, and

it is not necessary that he should; for most questions, so far as the voter is concerned, demand only a small amount of fairness and honesty upon his part to do all that he can do. He must insist upon public honesty and good character and as much intelligence as possible in public men, and for the rest, except in the most obvious matters, he has to leave the decisions to the legislators themselves. And even among the legislators very few are entitled to any opinion on most of the questions they decide. The work has to be distributed among committees, which are supposed to contain some experts on the matter in question, and there is where the decisions are really made. The experts instruct the committee. The committee reports accordingly, and in very many cases the legislators accept and adopt the committee's report, with only the most general knowledge on their own part of the subject at issue. It would seem, then, that the average woman might take her place as a voter without putting upon herself any great strain. Certainly she would be fully equal to the strain endured by the average masculine voter, and it would not be difficult to equal him in character and public spirit.

But prejudice is prolific and can conjure up reasons where none exist, and anything whatever that is called an argument passes for one. Thus the noble science of Biology is subpœnaed and appears in the person of a Distinguished Professor to say that "the process of evolution is toward the differentiation of function." After this oracular utterance the Professor concludes, one knows not how, that a woman must not be allowed to express in a vote an opinion respecting the management of the schools, or the city Government, or local taxation, and so forth. The phrase is very impressive and might well impose upon the passive and intellectually defenceless mind. One feels a sense of awe before anything so imposing as the "differentiation of function," but it is exceedingly difficult to connect the premise with the particular conclusion. Indeed, one with the same logic might get anything out of the phrase—might claim, for instance, that the working-classes should not vote, because evolution proceeds through the differentiation of function, and this differentiation would lead to the handing over of Government to a privileged few. With what impressiveness a defender of caste would appeal to the "differentiation of function"! These oracles only illustrate over again Burke's weakest arguments and strongest prejudices. They are

not to be taken seriously, but belong to the humors of the discussion.

I have often thought that some bright woman might make a good point by considering what could be said against allowing men to vote in case the question had to be decided by the women. Thus the women might point out that the masculine sex is coarse and unæsthetic, that it is passionate, quarrelsome and given to the use of bad words. Every one knows that men are given to drink, and only recently one of their rack professors has declared that civilization would be imperilled by total abstinence! Instances might also be quoted from recent history to show men's unbalanced emotionality. Both the French and Austrian legislatures have had small riots among the members within a short time; and even the English lawmakers have not always preserved the strictest decorum under emotional stress.

Again, the masculine sex is plainly falling behind in intellectuality and women are fast becoming the conservators of scholarship. Since they were admitted to the colleges they have given such a good account of themselves that some men, "falsely so called," are having the gravest doubts about the higher education of women in consequence. College boys also are showing distress at the output of feminine intellect and are calling for a "woman exclusion act" to protect them from this horrible competition. The danger is so imminent that we may yet need a kind of male zenana for our feebler brothers into which these terrible women shall not be allowed to enter. Some years ago Miss Fawcett took the examinations for the Senior Wranglership at Cambridge, England, and came out so far ahead that the report might well have been, "Eclipse first; the rest nowhere." But as Eclipse in this case was a woman the prize went to the man, who, though next, was not adjacent. A sympathizing editor remarked that, "It was hard on a man to have a thing like that happen to him." Finally, it might be urged that the male sex is relatively irreligious. Three-fourths of the membership of the churches are said to be women. And how would it be possible to allow beings of such qualities to have a voice in lawmaking? This sex that admittedly furnishes the great majority of our drunkards, criminals, infidels and other "undesirable citizens" might easily bring down the vengeance of heaven upon us.

So the women might argue; and it must be admitted that there

would be something in it. The suffragettes have not yet equalled the turbulent emotionalism of their sedate brothers. But such argument might be thought rather tart and shrewish. Let us, then, listen to some fine old dowager, less acerb and more philosophic, as she argues the matter:

"My sisters, let us not be too hard on the men. Of course they are not women and cannot be, but we must beware of arousing sex antagonism. Let us rather inquire if there be not plain indications in the nature of things of what man's sphere is. And if we look about, we see at once that this sphere is very definitely marked out. Men are manifestly intended to be the breadwinners of the race and the fathers of the race. And the sphere thus indicated is certainly great enough and high enough to consume all masculine energy and satisfy all masculine ambition. Let us, then, be careful of adding to the labors of men the additional burden of thinking on political problems.

"And when we rise to the higher thought of fatherhood, what a sacredness this bestows upon man, and certainly he can ask for nothing higher. He should, therefore, prepare himself for all his duties in this august relation, and not trouble himself about these other relatively unimportant matters of managing the political world. And I cannot but deplore that our educators have not paid more attention to the fact. They seem never to have considered that man is to be the father of a family and should have a special training for his duties as such. Some of the heavier work in housecleaning would very properly fall to his lot. A course in scrubbing and in tending the furnace and many similar things would be of far higher utility than much of the vaunted higher education.

"Of course this does not mean that men are without intelligence. Some of them are very bright and might properly be trusted with the suffrage. But we are thinking of the great mass of men and that alters the case. And, furthermore, it is not from any enmity or hostility on our part that we are opposed to men voting; it is rather from our love for them and our unwillingness unduly to burden them that we protest against their enfranchisement. And they are safe in that love. We will guard their interests. If they wish anything let them apply to us and we will see to it that the right is done, but let them abide in that sphere in which it has pleased Providence to call them."

It is doubtful if this argument would convince the men. It is not even sure that it ought to convince them, but it is certainly as good as most of the matter that is offered against equal suffrage.

But what is the use of equal suffrage, after all? Would society be any better for it? And if it would not, it seems at best a matter of indifference. Moreover, suffrage is not a right in any case, but only a privilege, and may well be withheld unless some-

thing good comes of it. This is wisdom indeed. When the objector is thinking of himself, suffrage is a right. When others demand it as a right, he says it is a privilege and a matter of no great importance. The insincerity of all this appears from the fact that he would never consent to have it denied to himself, while he is very willing to have it denied to others.

And just here, to my mind, is the root of the matter. If I were a woman, as I am a man, I should feel that wrong was done me in denying me this right, and the sense of justice will never be satisfied until this wrong is remedied. Nodding to Gessler's cap is a small thing to some people, but there are others who cannot get used to it. I should feel as nigh unto cursing, as is permitted to a good woman, when I heard stupid louts and ignorant boys discussing my rights and sphere—poor creatures hardly entitled to an opinion on any subject higher than pop-corn and peanut brittle. Who is more entitled to a voice in determining women's sphere than women themselves? What man would consent to have women determine his sphere? And yet they would likely do as well as men have done in determining woman's sphere. A full half of the intellect and conscience of the community is unrepresented in the lawmaking bodies, and the feminine interest, which is quite as important a social factor as the masculine, is unrepresented. And what has been the result? Only the crassest ignorance or lack of principle would pretend that woman has had justice done her in the past or even in the present. The social order will never be at its best until this is remedied. The present condition of the political world closely resembles a place where the housekeeping is done by men. The masculine indifference to order, cleanliness, tidiness, is reflected in political housekeeping. And the remedy is the same in both cases—give the women a chance. This would be both just and wise. No one has a right to demand for himself anything that he would not equally accord to others. The rights of the moral personality are absolutely independent of sex. The functions the sexes have to play in life are different and will take care of themselves, but they in no way affect the duty of every moral person to be interested in the well-being of the community and the right of every moral person to have a voice in the matter. In these deepest things, these fundamental duties, men and women are alike and equal.

What might be the outcome of granting equal suffrage, no one

could certainly tell. I should not myself anticipate any immediate entrance of the millennium. I should, however, expect many improvements in our social and political life, and I am somewhat confirmed in this opinion by the character of the opposition. Where the experiment has been made the result has not been unfavorable, and in any case the dire results often predicted have not been realized. Of course one can get unfavorable reports by picking his witnesses, but this would be true of the millennium itself. We may also expect great advantage to women themselves from the possession of the suffrage, not merely in securing more consideration of their just claims from lawmakers, but also in producing a more thoughtful type of woman. Already from their larger intellectual life women are more interesting and socially valuable than they ever were before. And the larger social interest arising from larger possibility and responsibility could not fail to result in larger and more effective life.

The origin of the subjection of woman as before explained explains the nature of much of the opposition to equal suffrage. It was something undreamed of among savages and barbarians and was unheard of even among ourselves one hundred years ago. Accordingly, if we should call the roll of opponents, we should find among them about all savages, enemies of society, of the family and of good government, rumsellers, drunkards, constitutional stand-patters and weak-minded men in general. These make up a large part of the "glorious company" of those opposed to equal suffrage. It by no means follows that all opponents are of this sort, but it is beyond any question that the vast mass of persons of this sort are among the opponents.

Finally, we must not suppose that the question is purely a matter of theory, as if equal suffrage were nowhere an accomplished fact. To-day women have full suffrage in Colorado, Wyoming, Idaho, Utah, Norway, Finland, New Zealand and Australia. They have municipal suffrage in England, Scotland, Ireland, Canada, Kansas, Denmark, Iceland and several European cities. They have school suffrage in half the States of the Union and tax suffrage in several States. In the last half-century there has been more advance in the educational, industrial and property rights of women than in the whole history of the world up to that time. And the political rights are fast coming.

BORDEN PARKER BOWNE.

IS THE FEDERAL CORPORATION TAX LAW CONSTITUTIONAL?

BY WALTER K. TULLER, OF THE LOS ANGELES BAR.

THE Corporation Tax Law, enacted by Congress at the special session of 1909, is such a radical change in the policy of the Government, and is so wide-spread in its present effects and future possibilities, that the question whether it is or is not constitutional is of the greatest importance to the entire country. It is not, now, a political or an economic question. This Act, with such modifications and additions as experience should show advisable, might or might not assist in solving some of the grave problems which present financial and industrial conditions have raised. But were it definitely proven that it would do so, or were it conclusively established that its results would be disastrous, neither could properly have any weight in determining its constitutional validity. If the Act be within the Constitution, and is unwise, the remedy lies with the legislative, not with the judicial department of the Government, while if without the Constitution, no matter how important to the economic welfare it may be considered, it cannot stand.

The essential provision for the present purpose of the Act in question is that every corporation or joint stock company organized for profit and

"organized under the laws of the United States or of any State or Territory of the United States, . . . *shall be subject to pay annually a special excise tax with respect to the carrying on or doing business by such corporation, . . . equivalent to one per centum upon the entire net income over and above five thousand dollars received by it from all sources during such year,*"

exclusive of dividends received from the stock of other companies which are subject to the tax.

It is designated as an "excise tax," and it is on that ground that its proponents and supporters, including the present Chief

Executive of the nation, whom all must admit to be a great constitutional lawyer, contend that it is valid. It is obvious, however, that its validity must depend on its real nature, and that for this purpose the name by which it is called is immaterial.

By Article I, Sec. 8 of the Federal Constitution, Congress is granted the power "to lay and collect taxes, duties, imposts and excises, . . . but all duties, imposts and excises shall be uniform throughout the United States." By Sec. 9 of the same article, it is provided that "no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken." By the Tenth Amendment to the Constitution, adopted immediately after the main body of the Constitution itself, it is provided that: "The powers not delegated to the United States by the Constitution, nor prohibited to the States, are reserved to the States respectively or to the people."

The first question to be determined, then, is whether the tax imposed by this Act is a direct tax or an excise; if an excise, it is not subject to the objection that it is not apportioned among the several States according to population,* while if a direct tax, there being no attempt so to apportion it, it is clearly unconstitutional. This at once raises the question of what is an excise and what is a direct tax, as those terms are used in the Constitution. This much is certain at the outset, that there is such a tax as an excise and such a tax as a direct tax, and that they are intended to be mutually exclusive, for it is specifically provided that the former need only be uniform throughout the United States, while the latter must be apportioned among the several States according to population. Volumes might be written on this question. Indeed, it is probably impossible to lay down in advance any rule which would cover every case that might arise. Without attempting to go into all the distinctions and ramifica-

* "Whether the exemption of $5,000 of net income from the operation of the tax is a violation of the rules of uniformity and an arbitrary discrimination is a question which will not now be discussed. The law requires returns from all corporations, which may prevent it from having that effect. The exemption, however, operates as effectively to relieve all those corporations having a net income of $5,000 dollars or less from any taxation as if it specifically exempted them." (See opinion of Mr. Justice Field in Income Tax cases, 158 U. S., at p. 596.) The decision in the Sugar Refining case, 192 U. S., 397 (see post), although it did not comment on this point, would seem to be very strong authority, however, against the contention that this invalidates the act, as the court there sustained a tax which applied only to those whose gross annual income was in excess of $250,000.

tions of the subject, or to state a rule which would be sufficient in every case that might arise, it seems to be settled by the decisions of the Supreme Court of the United States that, so far as is necessary to determine this case, a tax upon a particular business or the right to conduct that business is an excise, while a tax upon property, whether real or personal, is a direct tax.* This principle seems to have been recognized by those framing the Act, for they stated in the body of it that the tax thereby imposed should be "with respect to the carrying on or doing business by such corporation, etc." As heretofore stated, however, the validity of the tax is to be determined not by what it is said to be or to do, but by the way it actually operates, as was said in Nicol *vs.* Ames, 173 U. S., 515, "for this purpose it must be regarded in its actual practical results." The ultimate question in this phase of the case is, therefore, which kind of a tax does this Act *actually* impose?

Those supporting its validity lay great stress upon the so-called Sugar Refininig Case, 192 U. S., 397. In that case the Federal Supreme Court held that the Act of Congress of 1898 imposing a tax of one-quarter of one per cent. of the gross annual receipts above $250,000 of "every person, firm, corporation or company" carrying on or doing the business of refining sugar, etc., was not a direct tax within the meaning of the Constitution, but was an excise. There is a distinction between that act and the one now under consideration, however, that to the writer seems fundamental. The tax there imposed was clearly a tax on the business, and hence under the former decisions of the court as stated an excise. It was directed not at any particular person who might conduct the business or at the particular form in which it might be conducted, but primarily at the business itself. The tax must be paid by "every person, firm, corporation or company" who should conduct that business. So while from the very nature of the case the actual delivery of the money must be made by an individual, the tax itself was simply upon the business—or if it

* This rule is stated as the cumulative result of the numerous cases involving a consideration of excises and direct taxes decided by the Supreme Court. No single case can be cited as direct authority for it; it is the result, rather, of many taken together. An example of it may be seen, however, by comparing the Income Tax Cases, 157 U. S., 429, and 158 U. S., 601 (see also terse statement of the principle therein established in Knowlton *vs.* Moore, 178 U. S., at p. 82), with the Sugar Refining case supra.

be preferred, upon the right or privilege of conducting that business—regardless of the person by whom it might be conducted.

The tax imposed by this Act, however, is not a tax on a business or the right to conduct a business at all. A, a corporation, is conducting a certain business; adjoining him on one side B, an individual, is conducting the same business. If the tax were upon the business or the right or privilege of conducting it, clearly it would apply to both. This tax applies to A, *but it does not apply to B.* Adjoining A on the other side, C, a partnership, may be conducting the same business. The tax applies to A; it does not apply to C. This is the all-important distinction between the tax imposed by this Act and the one considered in the Sugar Refining case supra. It was on this very point that the court held that tax to be an excise, saying: "Clearly the tax is not imposed on gross annual receipts as income, *but only in respect of the carrying on or doing the business* of refining sugar."* The very same considerations show that this tax is *not,* in fact, imposed in respect of the carrying on or doing of any business or the right or privilege of doing so. It would seem to follow from this case rather, therefore, that this tax is not an excise.

It may be urged, however, that the rule heretofore stated for determining whether a tax is an excise or a direct tax (for the purposes of this case) is not a correct one, but that the true test of an excise is whether it can be shifted to the shoulders of another; that if it can be so shifted it is an excise, while if it cannot be it is a direct tax. If this be true, does it validate this Act? Take a similar illustration to the one we have just used: A, a corporation, is engaged in the business, let us say, of manufacturing a certain article or articles. B, an individual or a partnership, is engaged in manufacturing the same articles. There is nothing in the nature of A whereby it is enabled to manufacture an article any cheaper than it can be done by B. If a tax is imposed on A, how can he shift it? Clearly only by raising the price of the article manufactured. But if the tax *is not imposed on B,* how can he raise the price? If he does so he puts a higher price on his article than is charged by B for the same article. If he does this, it is as certain as the law of gravitation that he cannot sell his article, which means that eventually his business is destroyed.

* Italics are author's.

Take an even plainer case if possible. A, the corporation, is engaged in selling articles directly to the consumer. B, the individual or partnership, is engaged in the same business. There is nothing in the nature of the corporation that enables it to purchase its stock of goods one cent cheaper than B. A tax is imposed on A, not on B. To shift the tax A must raise the price of his goods; that means that he must charge a higher price for them than is charged by B. That, in turn, by the law as inexorable as Fate, means his ultimate ruin.

This is exactly the tax imposed by this Act. *It cannot be shifted.* If that be the test, therefore, there is no escape from the conclusion that this is not an excise, but a direct tax.

If the tax is not a tax upon the business in which the corporation is engaged or upon the right or privilege of conducting it, upon what is it imposed? In whatever terms it may be stated, the tax, in reality, is simply a tax upon the right to do business *in the form of* a corporation. That whatever it may be called, it is not, in reality, a tax upon a business or the right to conduct a business, which is possessed by corporations, individuals or partnerships alike, has already been seen. The only difference between A and B in the illustration given is that A conducts his business in the form of a corporation, while B does not conduct it in that form. The tax applies to A, not to B. The conclusion is unavoidable, that the tax is, in reality, simply a tax upon the right to do business in the form of a corporation.

This is important in two aspects. First, the right to act or do business in the form of a corporation, ordinarily termed the corporate franchise, is *property.** The tax, therefore, is in reality a tax upon property, which seems to confirm the conclusion heretofore reached that it is a direct tax.

* This principle is too clearly and too thoroughly established to admit of dispute. See 2 Blackstone's Commentaries, 16, 20; 3 Kent's Comm. 459; Bridge Co. *vs.* Dix, 6 How (U. S.), 507; M'f'g Co. *vs.* Massachusetts, 6 Wall (U. S.), 632; Conway *vs.* Turner, 1 Black (U. S.), 603; Sav. Society *vs.* Coite, 6 Wall (U. S.), 606; Bank *vs.* Fenno, 8 Wall (U. S.), 547; Water, etc., Co. *vs.* Brooklyn, 166 U. S., 685; Richmond, etc., R. Co. *vs.* Louisa. R. Co., 54 U. S. (13 How.), 83. See also numerous State decisions so holding collected in note 57 L. R. A., 37. Not only is the franchise property, but it seems well settled that it is real property, being classed as an incorporeal hereditament, and was so understood at the time the Constitution was adopted. See Blackstone's and Kent's Comm. supra; Washburn on Real Property (6th Ed.), Secs. 47, 146; Tiedeman on Real Property (3rd Ed.), Secs. 2, 6, 453; Conway *vs.* Taylor, 1 Black (U. S.), 603. So far as the writer is aware, it has never been seriously questioned that a tax upon real property is a direct tax.

If it be argued that the tax is only upon the income or profit derived from the property, and not upon the property itself, the answer is that a tax on the income or profit derived from property is equivalent to a tax directly on the property from which it is derived. As was said by the Supreme Court in the Income Tax cases, 158 U. S., 601, in summing up:

"Taxes on real estate being indisputably direct taxes, taxes on the rent or income of real estate are equally direct taxes. . . . Taxes on personal property, or on the income of personal property, are likewise direct taxes."*

The second phase in which this fact is important is this: As has been seen, the Constitution expressly provides that the powers not given to the United States, nor prohibited to the States, are reserved to the States. This is the principle on which our entire system of Government is founded, that within its sphere the Federal Government is sovereign and within their spheres the respective States are sovereign.†

In the celebrated case of McCulloch *vs.* Maryland, 4 Wheat. (17 U. S.), 316, this question was presented: Congress had chartered a corporation, in that case a bank. It established a branch in Maryland. That State thereupon passed an Act subjecting it to a tax. This tax was resisted on the ground that it was unconstitutional, and the case was taken to the Supreme Court of the United States. It was decided in an elaborate and masterly opinion by Chief-Justice Marshall, and concurred in by the entire court, that the Act was unconstitutional. It was pointed out

* Cf. Knowlton *vs.* Moore, 178 U. S., 42, at p. 82.

† "The general Government and the States, although both exist within the same territorial limits, are separate and distinct sovereignties, acting separately and independently of each other within their respective spheres. The former in its apportionate sphere is supreme, but the States, within the limits of their powers not granted, or in the language of the Tenth Amendment, 'reserved,' are as independent of the general Government as that Government within its sphere is independent of the States." Buffington *vs.* Day, 78 U. S. (11 Wall), 113. See also Van Brocklen *vs.* Anderson, 117 U. S., 151, 173; Plummer *vs.* Coler, 178 U. S., 113, 117.

"We have in this republic a dual system of Government—National and State—each operating within the same territory and upon the same persons, and yet without collision because their functions are different. There are certain matters over which the National Government has absolute control, and no action of the State can interfere therewith, and there are others in which the State is supreme, and in respect to them the National Government is powerless." South Carolina *vs.* U. S., 199 U. S., 438, 448.

that the United States within its sphere is sovereign; the franchise to be a corporation was granted by the United States acting within that sphere; that the power to tax involves the power to destroy. That therefore, if the State had power to tax the corporation, as such, at all, it had the power to tax it out of existence and so nullify the action of the Federal Government in chartering it; that the possession of this power by the State is in direct conflict with the sovereignty of the Federal Government in chartering it, and so cannot be possessed.

The case presented by the Federal Corporation Law, it is submitted, is simply the converse of that presented in McCulloch *vs.* Maryland. The State, within its sphere and therefore within the exercise of its sovereignty, charters a corporation. The Federal Government attempts to impose a tax upon it simply as such corporation. If it may tax it at all, it may tax it out of existence and so nullify the action of the State in chartering it. If it has power to impose a tax of one per cent. of its net earnings over and above five thousand dollars, it has power to impose that tax upon its entire net earnings. If it has power to impose a tax of one per cent., it has power to impose a tax of ten, twenty, fifty, one hundred per cent.

It may be attempted to distinguish this case from McCulloch *vs.* Maryland on the ground that the United States Bank was an instrumentality in carrying out the functions of the Government —its financial agent—and the corporations created by the State are not instrumentalities used in carrying out its functions. The first statement of fact, that the bank was such an instrumentality, is admitted, but it is by no means granted that the corporations created by the State are not equally instrumentalities for carrying out its functions. The bank may have been more essential to carrying out the functions of the Federal Government than are some of the corporations created by the State. The country somewhat later subsisted without it, however, so it was not indispensable. But it is apprehended that the question of how urgent is the necessity for the creation of a particular corporation is immaterial to the question of whether it is an instrumentality of the Government creating it. The power of the Federal Government to create corporations is chiefly derived from that clause in the Constitution* which gives it power to make all laws which

* Art. I, Sec. 8 (18).

shall be "necessary and proper" for carrying its powers into execution. It was held in McCulloch *vs.* Maryland that this did not require that the particular action should be necessary in the sense of indispensable, but that if the end sought to be accomplished were within the scope of its powers, "all the means which are *appropriate,** which are plainly adapted to that end, and which are not prohibited" may be adopted as a means of carrying out its powers. The States are not even limited by any provision that the means chosen by them shall be only those that are "necessary and proper," and it certainly cannot be successfully contended, therefore, that their discretion as to the means by which they shall carry out their functions is any less broad than that of the Federal Government. It is submitted, therefore, that so long as a State in creating a corporation is acting within the scope of its constitutional powers the degree of necessity for chartering it as a means of carrying its functions into execution is immaterial.

But even were it granted, for the sake of the argument, that there might be a distinction in principle between the bank under consideration in McCulloch *vs.* Maryland and an ordinary corporation created by the State, it would not establish the right of Congress to pass this law even under this clause, entirely aside from the question of it being a direct tax. Take a single illustration: The Constitution gives the Federal Government the power to regulate commerce between the States. It leaves with each State the power to regulate commerce within that State. The power of the Federal Government to regulate commerce between the States, and of each State to regulate it within that State, stand, therefore, upon the same basis; and a corporation created by the former to carry on interstate commerce is no more an instrumentality of that Government for the purpose of carrying into execution its functions than is one created by a State to carry on commerce within that State an instrumentality of the State for carrying out its constitutional functions.†

It is settled by an unbroken line of decisions by the United States Supreme Court that an attempt by a State to impose a tax upon receipts derived from carrying on interstate commerce is unconstitutional and void, as being a regulation of interstate com-

* Italics are author's.

† See Western U. Tel. Co. *vs.* Texas, 105 U. S., 460; W. U. Tel. Co. *vs.* Seay, 132 U. S., 472.

merce,* and if the business is being carried on under a franchise from the Federal Government, on the further ground that it is an interference with one of the instrumentalities of that Government for carrying out its functions.† By this Act, however, the Federal Government attempts to impose a tax upon a corporation, as such, created by a State to carry on commerce within that State, which clearly is equally an instrumentality adopted by that State for carrying out its constitutional functions; and is in addition equally an attempt directly to regulate commerce within the State, as was the action of the States, in the cases cited in the preceding note, an attempt to regulate commerce between the States.

It cannot be denied that a corporation brought into existence by a State is an instrumentality of that State. It has been suggested, however, that the Federal Government may tax all the instrumentalities of the State, excepting those that are *strictly governmental* in their nature. Obviously this proposition, if sound, introduces a question of the utmost difficulty. What instrumentalities are "strictly governmental"? At the present day it could hardly be asserted that this term included only political organizations. With our changing social, and particularly our changing economic and industrial conditions, the idea of what is properly included within the scope of Government has been constantly enlarging, and the end is not yet. Matters that a half a century ago were considered strictly private in their nature are now quite universally regarded as being properly, in many cases necessarily, within the sphere of Government. Even the last decade has seen great changes in this direction; no man can foresee what the next will bring about. To introduce this principle means to establish a distinction based on nothing more tangible than opinion, and a constantly changing opinion at that.

But what is, perhaps, even more important from a strictly legal standpoint, it is submitted that the proposition stated is itself fundamentally false. Does the Constitution give the Federal Government power to tax the instrumentalities of the State, excepting only such as are "strictly governmental" in their char-

* See Fargo *vs.* Stephens, 121 U. S. 230; Steamship Co. *vs.* Pennsylvania, 122 U. S., 326; Ratterman *vs.* West. U. Tel. Co., 127 U. S., 411; West. U. Tel. Co. *vs.* Seay, 132 U. S., 472, and numerous cases cited in the discussion therein.

† See California *vs.* Central Pac. R. R. Co., 127 U. S., 1; U. S. *vs.* Stanford, 161 U. S., 433; Brown *vs.* Maryland, 12 Wheat., 419.

acter? The question is solely one of *power,* not of its actual use or discretion in exercising it. It needs no further argument to demonstrate that if this power to tax exists at all, it knows no limits. If the Federal Government may tax such an instrumentality at all, it may tax them out of existence. That, of course, is the power to nullify the action of the State in creating it. The power to nullify is tantamount to the power to prohibit. To sustain this proposition, therefore, it is necessary to hold that the Constitution delegates to the Federal Government the power to prohibit the States from creating any essentially private corporation—which is one of the first attributes of sovereignty. Is this possibly sound? On the contrary, it is not only opposed to the entire spirit of the Constitution, but also is it not morally certain that if those who framed and adopted the Constitution had so understood it, that instrument never would have been adopted? It seems that the mere statement of the result to which this proposition necessarily leads thoroughly demonstrates its falsity.

It is submitted, therefore, that it is not within the power of the Federal Government, under the Constitution, to tax any corporate franchise granted by the State within the scope of its reserved powers; and it has been shown that this is exactly what the Act in question, if operative, would do.

There is another phase of the question that is important. The proposition cannot be questioned that it is within the powers of a State, as a means of carrying out its constitutional functions, to issue bonds or other evidence of indebtedness, equally as it is within the power of the Federal Government to do so. It is settled by numerous decisions of the Supreme Court that bonds issued by the Federal Government cannot be taxed by a State, although held as property within that State and so receiving the benefit of the protection afforded by its laws. Why? Because that is a means or instrumentality adopted by a Federal Government in the course of carrying into execution its constitutional functions, and since it is sovereign within that sphere the State has no power to interfere with its action, and the power to tax is a power directly to do so.*

If the States are sovereign within their respective spheres, it

* See Weston *vs.* Charleston, 2 Pet., 49; New York *vs.* Tax Commrs., 2 Wall, 200; Banks *vs.* New York, 7 Wall, 16; Bank *vs.* Des Moines, 205 U. S., 503.

would seem to follow necessarily that the United States does not possess the constitutional power to tax bonds issued by a State or political subdivisions thereof. The Supreme Court so held in Bank *vs.* New York, 121 U. S., 138.* This Act imposes a tax upon the net income above $5,000 of every corporation "received by it from all sources" (excepting only that received as dividends from the stock of other corporations subject to the tax). A part of this may often be the interest paid upon bonds issued by the State or its political subdivisions. A part of this interest is taken by the tax. For the reason heretofore stated, it is believed that the tax is, in essence, merely a tax upon the franchise to be a corporation. This franchise, as has been attempted to be shown, is not subject to Federal taxation. But if the tax is not upon this franchise, upon what is it imposed? Clearly it is not a tax upon the right to hold bonds generally, for, as has already been seen, it applies only when they are held in one particular form. The only answer, then, is that it is a tax upon the bonds themselves, for it requires no argument to show that a tax upon the interest paid on them is equivalent to a tax on the bonds themselves. This is clearly beyond the power of Congress. The same general principle applies to real property. A considerable part of the income of many corporations is derived therefrom. A portion thereof is taken by the tax. The tax is not, in reality, a tax upon the right or privilege of holding real property, for it applies only when held in one particular form. It must be, therefore, either a tax upon the right to hold real property or do other business in the *form* of a corporation—that is, a tax on its franchise—or else a tax upon the property held. If the former, under the principles heretofore established, it is invalid; if the latter, it cannot be denied that it is a direct tax and hence unconstitutional. The same principle clearly applies to personal property and the income derived therefrom, since "taxes on personal property or on the income of personal property, are likewise direct taxes." Income Tax Cases, supra.

The principles sought to be established are:

1. That although called an excise, the tax imposed by the Act under consideration is, in reality, simply a tax upon the corporate franchise and as such a direct tax. That not being apportioned

* Cf. Income Tax Case, 157 U. S., 429, and Plummer *vs.* Cole, 178 U. S. 117. Also Ambrosini, U. S., 187; U. S., 1.

among the several States according to population, it is therefore unconstitutional.

2. That in so far as it attempts to impose a tax upon corporate franchises granted by the several States in the exercise of their constitutionally "reserved" powers, it is unconstitutional also on the separate and distinct ground that it is beyond the powers granted to the Federal Government and an invasion of those reserved to the States, and

3. That if held not to be a tax upon the corporate franchise, it is simply a tax on the property held by corporations, and therefore unconstitutional under the principle declared in the Income Tax Case, supra.

The conclusion reached does not detract from the power of the Federal Government to raise all funds that may be necessary. Whenever its income from ordinary channels is insufficient to provide for the national welfare, all it need do is to compute the sum required and call on each State for its proportional share as determined by its population. The authority of the United States within the Constitution is that of a Government, not a suppliant; in this way it can collect to the last farthing all the moneys that may be needed for its support. Neither is it a conclusion that such a tax as the one here imposed may not be proper, or even desirable, as an economic matter. As pointed out in the beginning of the discussion, that is an entirely different question. But it seems that the Act is opposed to the Constitution as it now stands, and the Constitution must ever stand as "the supreme law of the land."

WALTER K. TULLER.

AUTHOR'S NOTE.—The conclusion reached above has no application to the validity of the Act, in so far as it imposes the tax on corporations created by or under the authority of the Federal Government. There appears no reason why that Government cannot legally tax those franchises granted by it. It is a well-established principle that if a statute is constitutional in part and unconstitutional in part, that part which is valid will be enforced, provided the parts are sufficiently separable so that each may be read by itself. It would seem that corporations chartered by the several States and those created by the Federal Government were sufficiently separate and distinct subjects of taxation that the tax might be sustained as to the latter, though held invalid as to the former.

WOMAN'S RELATION TO GOVERNMENT.

BY MRS. WILLIAM FORSE SCOTT.

WHAT is the purpose and nature of government?

For the purpose of government, is the human race homogeneous?

Is it a unit composed of co-ordinated elements?

Is it divided by sex into two classes of opposing interests or is it a chaotic mass of warring elements?

Is there an evolutional tendency toward increasing dissimilarity of function?

If so, would a change in the occupations of women by which they would share the occupations of men indicate progress or reversion?

Is political activity founded in peaceful efforts to adjust conflicting interests or is it essentially aggressive and warlike?

Since the care of young children should be in the hands of women, is it better or worse for the race that women should be occupied in the political struggle?

Does the employment of women in such occupations as will place them in conflict with men promise better economic conditions?

Is there a biological reason for the mental qualities which fit women for one type of work rather than another?

Where do reforms originate, and by what methods do they progress?

Is it not more highly specialized *education* for women, rather than "votes for women," which is to be desired?

When men live together the first condition, the original necessity, is concession; and concessions, by absolute necessity, become laws. So freedom is possible only within law, if men are to abide

in communities. Man can be permitted only such freedom of action as may be enjoyed without encroaching upon the liberty of others. The higher the type of government, the fewer and simpler the laws should be, though becoming more complex in their interrelations.

As the only purpose of government is to insure freedom, and as freedom is impossible except under certain limitations, the perception, formulation and maintenance of such limitations is the primary function of government. Government is not a machine designed to give employment; it is not "an opportunity for the education of the masses" (a theory recently advanced by the suffragists); it is not a mine of wealth to be exploited for the benefit of a class or of individuals. It is simply a device for equal protection of all, which should automatically work to that end. It makes little difference what the form of government may be, so long as it accomplishes its purpose as well as can reasonably be expected in the time and under the then existing circumstances. Those who revolt against established law should be taught to recognize the impossibility of perfection, and led to consider whether there is a tendency toward better or worse conditions. If the laws and the execution of the laws show progress, the government is practically a good government; if the contrary, there is need of intervention, perhaps of revolution.

Democracy is a form of government which, it is assumed, gives every man an equal voice in the governments. Our Saxon ancestors used their voice, or vote, to acclaim one man their leader, and he a man like themselves with only one vote. To-day, under our free institutions, one man, whose vote counts only one as against another man's, leads in the ward or the city or the state or the nation, swaying by his will the votes of thousands.

The town meeting was a typical democracy, but even there the personal equation counted above the power of the vote. Every man may cast a vote, and only one, but always the vote of some one man or group of men will dominate the votes of all the others. So the pure democracy does not, any more than other forms of government, bring perfect protection; and because it fails to realize its ideal, it gives way to representative government, the republic appears. Now, although through representation the individual vote loses its authority, it gains by co-operation the desired end more safely and more surely.

The purpose of a republic is to establish and protect the interests of all classes. It sees, what is not seen in a democracy, that, to be efficient, legislation must be for the average and not for the individual. So it is only by republican institutions that democracy is made effective. When a community thus grows into a nation, it is the quality, not the quantity, of the vote that is important. The result to be studied is the operation of republican institutions in relation to a democracy divided into groups, with reference to the equable protection of all groups.

This brings us to a consideration of the groups into which mankind separates under the influence of community life. We recognize the producing, the professional, the executive groups. Roughly speaking, two groups would answer. In the one the work is intellectual; in the other muscular. But we are told to-day that there is another and more important classification based upon sex—that women compose a class by themselves. Biologically this is, of course, true. Economically it is fallacious. Politically it is false. For while mankind is in its nature dual, that duality is lost in the unit Man, as oxygen and hydrogen are lost in their combination in the perfect drop of water. Man and woman combine to form mankind, and it is mankind which is divided for economic purposes into laboring, professional and commercial groups. The laws enacted for the protection of these groups apply equally to men and women. Where woman needs special protection—as for large moral and economic reasons she does need protection—such legislation can be secured by direct petition, if it fails through the ordinary course of the law as it develops under the growth of education and intelligent public opinion.

Natural evolution is eternally from the simple to the complex. New activities beget new forms, and new forms increase until new types are produced, with infinite possibilities of still further differentiation and specialization. From protoplasm to man we face an awe-inspiring series. But no step in the progression is so portentous as that from the sexless to the sexual. At this point the high faculties of man begin to appear.

Here is the beginning of the emotional stimulus which is to develop the sensitive relations of the sexes. Out of this, by

slow evolution, now come protection on one side and dependence on the other, with mutual care for the young; and from this have sprung the great train of burdens and cares which are the crown and glory of mankind. Out of the interrelation of men and women has grown all that we know as civilization. Out of the man's protection of the family and the woman's care of the family have grown all government, all arts and all sciences.

Mankind being of necessity broken into groups (absolute equality cannot exist with life, and inequality results in the gathering together of similar individuals into groups), there is a resulting difference of standards and desires, which throws the various groups into a struggle in which each seeks to bend the machinery of government to its own purposes, often to the hurt of other groups. And so the national energies break up into political parties, the conflicting interests organizing against each other. In other words, it is a form of war, and while it may be at times only a quiet fencing or a friendly tilt, with banners flying and music playing, it is more frequently a hot and sometimes cruel contest, always with the possibility of the intervention of physical force. The women who are as yet only striving on the outer edge of political life show this particularly. They seek to advance their cause, even in the beginning of the contest, by kicking and scratching and biting, by hurling stones and acids. They can never lay aside this element of war; their very weakness naturally and quickly constrains them to have recourse to it.

As the race develops the care of the young grows more and more important as a function of the female, while protection of them and the young remains the duty of the male. The period of adolescence is inevitably being extended; the physical care of the young is being carried almost to the point of danger, while the care of the mind has been added. The responsibility of the mother for the physical, moral and mental training of her children makes demands upon her judgment, intelligence, fortitude and patience to the utmost of her capacity. She needs all the strength, the serenity, the "sweetness and light" that she can summon, to meet these demands rightly. Since political activity involves strife, with attendant mental and physical weariness,

and since the paramount function of woman is motherhood, the influence of political life cannot be useful in developing those qualities most essential to her unique function. It would certainly obstruct their development.

Since men should bear the burden of support of the family, it seems economically a sound proposition that women would serve the welfare of the race better by confining themselves as strictly as possible to feminine occupations, especially as there is too often a lack of well-paid work for the men who ought to maintain families. When women refuse, as so largely they do to-day, to go into domestic service, or to remain in the house to perform its social and domestic duties, they cause economic disturbances; they blindly try to occupy the field which naturally and rightly should be filled by men.

It is far from clear that woman can do entirely well the work which is properly called masculine, because she is physiologically and psychologically the result of an evolution along lines differing essentially from those which have produced men. Her duties, occupations and interests have given determinate form and characteristics to her mould. The seal of science has been set upon the fact of the interrelation of form and function. Woman must think and act as woman, not as man. Her physical constitution predetermines this whether she will or no.

When women assume that the vote is a necessity to insure their protection against the "greed and injustice of men," they are misled by a theoretical valuation of the vote into an overvaluation of its practical efficacy. What the individual vote can accomplish is of little or no advantage to the individual. The organized vote of a class can do little more for the class. What the vote really does is to keep the governmental machinery moving *according to the policy predetermined by public opinion,* and not otherwise. Public opinion may temporarily fail under the artful attack of the machine politicians, who often run the government for a brief time, in spite of both votes and public opinion, but only until some vital issue rouses the nation to a realizing sense of its danger and power.

Reforms do not originate with, they are not furthered by, the mass of voters. They begin in the minds of a few observant and

public-spirited persons, men and women, who form themselves into self-appointed committees. By these few organized reformers questions are presented to the public, and when public opinion has been aroused they are submitted, usually by entirely non-partisan means, to the governing bodies.

It is *by educating Public Opinion, then, rather than by voting,* that social and political reforms have been brought about.

Since women influence the characters of men by moulding them during the plastic years of infancy and childhood, does it not seem that it is *education* rather than suffrage which women should seek? Do they not blindly ignore the true source of power? Should not women be striving for the best education and training *for women,* in order that their standards may be kept ideally high and their power of transmission as instructors developed? Should they not desire that through them the greatest power of all government, that last and highest authority, Public Opinion, may be intelligently moulded?—Public Opinion, which in all great issues sweeps the ballot aside with its mighty breath.

Since woman is able to participate fully in all reforms without the ballot, the demand for the ballot on the ground that she has no influence in the making of the laws under which she lives is unreasonable and untrue,—especially so since the existing laws prove that her protection has been unceasingly the object of much legislation by men.

Since the vote of women is not essential to the purpose of government, and since her vote would not necessarily improve the mode of government, we can see no reason why, under republican institutions which accomplish the democratic purpose of affording equal protection to all groups, she should increase the burden of government by an unnecessary increase of voters.

Since the two sexes are essential to the continuation of the race, it is illogical to force upon society customs which would tend to efface that dissimilarity which is the result of evolution. It would be wrong to encourage woman to engage in political activities which would interfere with her natural development and with the performance of strictly womanly duties.

That her influence in the home and in social relations cannot be ignored is proved by the testimony of all history to the im-

portance of the woman's part in the forming of the characters of men and in the development of their careers.

If woman seriously desires to benefit her country, she has completely the means to do so. By educating and training herself to the best of her womanly powers she can fit herself for service more effective than any she could render through the best of political parties.

Finally we are led to this conclusion, that for the purposes of maintaining an efficient government, not *more* voters, but *better* voters are needed. We find no evidence in the political methods observed in the large bodies of organized women, now so conspicuous, to prove that women would be better voters than men. The history of the Shafroth case is a painful illustration of the ease with which women politicians adopt dishonest methods.

The best testimony which the suffrage organizations of New York are able to offer disprove their own propositions. The New York League sent Miss Sumner to Colorado, and she was there two years engaged in "studying" the life of women and women voters in order to get convincing evidence of their success. Women had then had the vote in Colorado for twelve years. In this book she says: "On the whole the most noteworthy feature of Colorado politics, and especially perhaps of Denver politics, is that there never seems to have been any real awakening to civic righteousness." One woman said to her: "I have attended committee meetings which broke up in riot, but that only increased the delights of attendance. We are only human, you know." Again, "Women are known to work for the election of their friends rather than for the best candidates." Again, "Prostitutes in general vote, and their vote is cast solidly for the party in control of the police force. . . . Neither is it surprising to learn that the prostitutes vote not only once, but often more than once."

In answer to Miss Sumner's question, addressed to different citizens, as to whether women are more or less corrupt than men, here are two typical answers. This by a woman: "There is a class of women who do not realize the sacredness of the responsibility of doing their part to elect good men and women to office and will sell their vote for a box of candy or less, while the same class of men will sell theirs at a little higher price." This by a man: "Women are more corrupt, more easily bought up, because, as a rule, a large percentage of the better class of

women will not engage actively in political work, and a large percentage of those who take active interest do so for selfish reasons." In conclusion Miss Sumner says: "Politics in Colorado are at least as corrupt as in other States, and the woman of ideals who goes into political life for reform soon finds, not merely that she is working in the mire, but that she is *persona non grata* with the habitual denizens of the mire and with those persons who profit by its existence. Sometimes she becomes unutterably disgusted and ceases her political activity; sometimes her grit arouses antagonism, and she is more or less politely shoved out by experts at the business; and sometimes she strays and is taught the tricks of the trade. The last illustrates the one direct evil of equal suffrage."

It is rather bewildering that these things are said by an intense advocate of woman suffrage, a paid employee of suffragist societies! So do the suffragists themselves make a strong case for their opponents on the point of the woman's relation to government. And so we who oppose see in the legitimate and proper work of women a far more direct and far greater influence upon government than this two years' investigation in Colorado has shown as the result of the woman vote. And we believe that we, in private life, have our full and equal share both in the support of government and in the benefit derived from it, as a result of the performance of our non-political duties.

Dorothea Dix said that woman suffrage would have hampered her work, and Mrs. Kinnicut, Mrs. Arthur Dodge, Mrs. Bartow and large numbers of women in New York to-day will add their testimony to hers in favor of petition and education as against the duty of voting. In the one case the women who have the strength, leisure and ability, are free to use them and do use them for the public good. In the other *all* women are laid under a burden of necessity to perform complex duties for which not one in hundreds can honestly be said to be fitted.

Another consideration that ought not to be overlooked is that of the large number of women who are pregnant at the time of any national or political campaign and election. It is often a time of prolonged excitement and bitter controversy. Often even merely local issues develop extreme irritation and personal feuds. The gravity of this aspect of the matter should give us

pause. Who will say that there will be no injurious effect upon women about to become mothers or that there might not be a bad effect upon the offspring?

We find no political reason for the woman's vote. On the contrary, we find in the complementary relation of men and women a reason why they should not both be engaged in doing the same work. The work of the world for the benefit of humanity needs co-ordination of men and women; and women need the protection of men to make them efficient in their special function of motherhood. The irritating and combative nature of politics certainly would not tend to increase the efficiency of woman in her own proper work, and, as has been shown, she would not have the power to do more than man in improving political conditions. The experience of twelve years in Colorado, as stated by Miss Sumner in the report of her investigations before referred to, shows that women have quite failed to fulfil their promise to use political power to improve social and moral conditions. In addition to the extracts already given from Miss Sumner's book we find the following: "On the social evil it is impossible to see that equal suffrage has had any effect. Women, in fact, have made little effort in this direction. . . . But equal suffrage has about as much to do with this condition of affairs as a twelve-year-old child with the Constitution of the United States." What comment could make more striking this astonishing statement? If in a State in which there are no large cities the full political power of women has not in twelve years produced any effect upon the social evil—and cannot produce any effect, as the statement fully admits—then can there be *any* moral question upon which the vote of women *as women* would be worth a straw?

The further promise of the suffragists, that their vote would control economic conditions is, of course, rash and foolish, since the least reflection shows that no vote could do that. Indeed, the evidence is brought before us daily of the total inability of men to control these conditions after voting for centuries. The men are driven to the strike, just as women are; and the results of their strikes are inevitably wiped out by the law of supply and demand, which is and must be always stronger than any agreement between labor and capital.

However we look at this question, whether politically, biologically, or humanly, we can see no better reason for the vote

for women than the one which the suffragist calls that of "Justice"! And when this reason is analyzed, it is found to be only the assumption that each human being has "a right" to whatever any other human being possesses. A fallacy, if ever there was one. A shallow fallacy! For no man can possibly have a "right" to anything in a political community except as the community allows it to him. It is a privilege and not a "right"; and he gets it, not at all because it is "just," but because it is expedient; that is, because it is believed by the controlling majority to be for the good of the community. Let the suffragists show that the vote of the women will be, beyond reasonable question, for the good of the State, and they will get it. They seem to be a very long way short of showing that as yet.

"Rights?" What "rights" has man? In the beginning he must wrest from nature the very right to live. And when he has gained that, he must agree with other men upon what terms he may continue his existence. Is there any magic by which women are to escape the natural law?

This agreement between men is government—no more, no less. And the government is good or bad, according to the average of intelligence and morality of the individuals who agree. The goodness of these individuals depends so much upon the women who bear and educate the succeeding generations of men that we pray all men who love their kind and would see the world grow in the virtues of manhood and womanhood, to secure for women not only the protection she needs, but all opportunities for the education and training she ought to have to fit her to rear men worthy of their manhood—and women worthy of motherhood.

BERTHA LANE SCOTT.

THE DEBACLE OF ENGLISH LIBERALISM.

BY SYDNEY BROOKS.

CARDINAL MANNING once declared that to write the history of modern France was like writing the history of a kaleidoscope. But a kaleidoscope, either as an instrument or as a figure of speech, seems a poor, immobile, positively spiritless invention by the side of the breathless changes, the hourly "crises," the melodramatic alternations that have been the lot of the British Government since the General Election came to an end. In London, and in the thick of events, it is difficult to assess with any precision the effect that must have been produced on the outside world by so rapid, so seemingly aimless and humiliating a succession of transformation scenes. But it can hardly have been other than an effect of sheer bewilderment. Here was a Ministry returned to power with a majority of 124 and a plurality in votes of over 400,000. Yet for many days it was doubtful whether it would live even long enough to face the new Parliament. Though numbers count even more in politics than in war, the first problem that the Cabinet considered was whether it should not immediately resign. It decided to continue in office, and on the whole, I think, wisely. But the mere fact that resignation could have been contemplated for a single moment is proof enough that the numerical strength of the Government far exceeded its true, effective strength. For a week and more before Parliament opened the Government lived in an atmosphere of ultimatums, intrigues and factional opposition and threats such as have never, to my knowledge, assailed any previous Cabinet. When the terms of the King's Speech outlining the programme of the session became known disunion passed into rebellion. One deputation after another of his nominal followers waited upon Mr. Asquith with remonstrances and hints of mutiny. Every

other speech in Parliament seemed to produce a fresh schism. The lobbies were a cauldron of rumors, disputes, plots and counter-plots. Hasty negotiations took place between Cabinet Ministers and the leaders of the various groups. First in one item of its programme and then in another the Government had to yield to the pressure of its supporters. It looked for a while as though no dexterity would save it, as though it would be beaten on the Address, and as though another General Election would follow at once. But the crowning mercy or the crowning disaster of a sudden death was denied to it. The immediate crisis was staved off, and instead of a General Election in March we shall have one in May or June. Such is the bare record of a series of events that must have amazed the outer world hardly less than they confounded England.

To explain why it is that a Government so strong on paper is so weak in fact, I must briefly analyze the nature of its majority, must make clear the conflicting policies of the groups that compose it, and must also examine the various complications and necessities, not altogether of his own making, that influenced Mr. Asquith's action. The Government majority of 124 is made up of two Liberals, forty Labor men, seventy-one Nationalists and eleven Independent Nationalists. But these groups are agreed on only one single plank of the official programme—the plank limiting the veto of the House of Lords on matters of ordinary legislation and depriving the Second Chamber of the power of rejecting any Bill that has passed the House of Commons a certain number of times. On this question the Government, to the best of my belief, can count on rallying all the Liberals, all the Labor men and all the Nationalists. But the destruction of the Lords' veto on finance and the limitation of their veto on ordinary measures are by no means the whole of the general problem of the House of Lords. They do not, for instance, affect the vital question of its composition, of whether it should or should not be reformed from within, of whether the hereditary principle should be retained, modified or abandoned. On all these points the cleavage in the Ministerial ranks is real and deep. The Moderate Liberals are in favor of reforming the Upper House by making it wholly or partly elective. The Radicals, believing, and I think with justice, that any reform of the House of Lords could only strengthen it and make it more

assertive, are for leaving it as it is after they have deprived it of the few legislative powers it still possesses. The Labor men, as a matter of principle, wish to abolish the Lords altogether and are wholly out of sympathy with the idea of reforming them. The Nationalists are indifferent to the whole question. In their eyes the vital thing is to whittle down the veto of the Lords so that any measure which has passed the House of Commons may become law within the limits of a single Parliament. The accomplishment of that object they look upon, as Mr. Redmond frankly declared in the House of Commons, as tantamount to granting Home Rule to Ireland. Everything else connected with the Lords they treat as a purely British affair in which they have no concern. The Ministerialists, therefore, while at one on the question of destroying the Lords' veto on finance and limiting it on everything else, are not at one on the question of reforming the composition of the Upper House.

Still less are they at one on the question of Mr. Lloyd George's Budget. The Liberals, Radicals and Labor men are heartily in favor of it, but the Nationalists are not less ardently opposed to it. In the last Parliament they voted against it on the second reading and abstained from voting for it on the third. Since then the feeling against its provisions among all parties and classes in Ireland has risen to fever-heat. One of the chief causes that brought about the rise of the Independent Nationalists under Mr. O'Brien and Mr. Healy was that these gentlemen promised to do all that was possible to prevent the Budget from becoming law. The Irish people assert that the Budget with its increased tax on whiskey, its high licensing duties and its land taxes lays an extra burden upon them of ten million dollars per annum. It is impossible to ascertain whether this reckoning is correct, nor for the purposes of my argument does it much matter. The important fact is that all Ireland is in revolt against the Budget and that the revolt placed both Mr. Redmond and the Government in an extremely awkward position. The Government had given up practically the whole of 1909 to the Budget; of all their enterprises it was the most bitterly contested and by far the most audacious; its rejection by the Lords had precipitated the General Election; and Mr. Asquith had pledged himself, if returned to power, to reintroduce the Budget at once and pass it with all its clauses and provisions intact. It had been one of the leading

issues of the campaign and nothing but its triumphant resurrection and its passage through both Houses would round off the Liberal victory and convince the world that the Lords' attempt to snatch the power of the purse from the Commons had failed. To place Mr. Lloyd George's Bill on the Statute-Book was and is and must remain a matter of supreme importance to the Government. Yet when the elections were over it was seen at once that if the Irish Nationalists, who compose two-thirds of the Government majority, were to vote against it, the Budget could not possibly become law. I do not know which was the most to be sympathized with in this predicament, Mr. Asquith or Mr. Redmond. If the latter either voted for the Budget or abstained from voting against it, he ran the certainty of being assailed in every corner of Ireland as a traitor to Irish interests; he would be playing directly into the hands of the O'Brienites; such a passion of resentment and revulsion would be evoked as might ruin the Nationalist party and commit its fortunes and future absolutely to the care of Mr. O'Brien and Mr. Healy. On the other hand, if he voted against the Budget and threw it out another General Election would be inevitable; the Nationalist exchequer is in no position to stand a further drain upon its funds; the O'Brienites would claim his action as a victory for their policy; and Mr. Redmond, having appealed to America for funds to smash the veto of the Lords, would be convicted of having used the money to throw out a Government that had made the abolition of the veto of the Lords the first item on its programme.

His dilemma, therefore, was very serious. But was there no alternative? If Mr. Redmond could pin the Government down to an immediate and effective campaign against the Lords, would it not be worth his while to facilitate the passage of the Budget? After all, Mr. Lloyd George's Budget is not for all time; its provisions can be revised when the next Finance Bill is submitted to Parliament; many of its taxes have been levied ever since its introduction and there is no way in which the money can be refunded; most of the harm, in short, had been done already. Supposing that Mr. Redmond procured a pledge from the Government that in the next Budget concessions would be made to the Irish taxpayer, supposing also he was successful in removing the last and greatest obstacle to Home Rule—the veto, namely, of the House of Lords—would he not then be able to prefer a fair

claim to the continued support of the Irish people? But to enable him to do this it was vital that the veto of the Lords should be earnestly, vigorously and whole-heartedly attacked. And here he was befriended by one of the most amazing complications I can recall in English politics, and one, moreover, for which the Liberal leaders have only themselves to blame.

In the House of Lords debate on the Budget last November the Lord Chancellor, who is, of course, a Cabinet Minister, made the following statement, the gravity of which was emphasized by the fact that he read it out from manuscript: "It is, in my opinion, impossible that any Liberal Government should ever again bear the heavy burden of office unless it is secured against a repetition of the treatment such as our measures have had to undergo for the last four years." A few days later, when the Budget had been thrown out by the Lords, Mr. Lloyd George, speaking at the National Liberal Club, declared: "For my part, I would not remain a member of a Liberal Cabinet one hour unless I knew that that Cabinet had determined not to hold office after the next General Election, unless full powers are accorded to it, which will enable it to place on the Statute-Book of the realm a measure which will insure that the House of Commons in future can carry, not merely Tory Bills as it does, no, but Liberal and progressive measures in the course of a single Parliament, either with or without the sanction of the House of Lords." That was on December 3rd. On December 6th Mr. Churchill, speaking at Manchester, said: "Effective restriction of the Lords' veto not only upon finance, but upon legislation, has become the dominant issue, and, whatever may be the result of the election, be sure of this, that no Liberal Government will at any future time bear the burden of office without securing guarantees that the reform should be carried out." Then on December 10th came the great speech in which the Prime Minister laid down the issues of the campaign and formulated the Liberal programme. "I tell you quite plainly," he said, "and I tell my fellow countrymen outside that neither I nor any other Liberal Minister, supported by a majority of the House of Commons, is going to submit again to the rebuffs and humiliations of the last four years. We shall not assume office, and we shall not hold office, unless we can secure the safeguards which experience shows us to be necessary for the legislative utility and honor of

the party of progress." On the following day Mr. Churchill referred to the Prime Minister's declaration in these terms: "The Prime Minister, in his speech last night, said with a clearness none can mistake and with a solemnity all should appreciate, that no Liberal Government will ever again take or hold office under the conditions which have obtained in the Parliament which is drawing to its close. That is a statement which is binding upon every Liberal, official or unofficial, and if you support us the consequence of this declaration cannot fail to emerge in action after the election is concluded."

Now, the universal interpretation put upon these statements was that Mr. Asquith, if returned to power, would decline to take office unless and until he had received from the Crown guarantees that the resistance of the Lords would be overcome as it was overcome in 1832—by the creation, or the threat to create, a sufficient number of Peers to carry the Liberal programme. Liberal candidates all over the kingdom, and in particular the leaders of the Labor and the Nationalist parties, put this and no other construction upon the declarations I have quoted. Their reading of them was well known, was trumpeted from nearly every Liberal platform and was never contradicted by the Prime Minister. The difficulty, the absurdity even, of asking the Sovereign to furnish guarantees of safe-conduct on behalf of Bills yet undrafted in a Session not yet begun, hardly seemed to occur to any one. Personally I cannot doubt that the Liberal Ministers harbored the wild intention of approaching the King with a request for assurances that in case of need he would stand by them as William IV stood by Lord Grey; nor can I doubt that if they had been returned with anything like the majority they won in 1906 the intention would have been acted upon. But having lost over a hundred seats, and being in a state of quasi-dependence upon the Irish vote—and a Liberal Government in that position starts its career fatally discredited, for there is nothing Englishmen dislike so much as seeing their politics controlled by the Irish Nationalists—it was clear that the Government had none of the necessary weight and authority to prosecute a policy that only the direst of national emergencies could possibly justify. All talk of guarantees ceased when the results of the election were known. The Government proceeded to rearrange the Cabinet portfolios and to make appointments as though the

very idea of preliminary conditions had vanished from their minds. But suddenly Mr. Redmond made it abundantly clear that matters were not developing to his satisfaction. In a speech delivered on February 10th he declared that "what decided the Irish to support the Liberal party was the Prime Minister's pledge that neither he nor his colleagues would ever assume or retain office again unless they were given assurances that they would be able to curb and limit the veto of the Lords." He had always regarded Mr. Asquith as a man of his word. "I say it is inconceivable that in this matter he should now waver in his purpose. To palter with his pledges would, in my judgment, be to wreck the Liberal party and to drive them for the next twenty years into the wilderness, and I won't insult him by suggesting he has any such intention." Mr. Redmond emphatically protested against the idea of passing the Budget and adjourning the veto to a more convenient season. Such action, he declared, would disgust every real democrat in Great Britain, besides breaking "openly and unashamedly the clear and explicit pledge on the faith of which, at any rate, Ireland gave her support to the Government. If Mr. Asquith is not in a position to say that he has such guarantees as are necessary to enable him to pass a Veto Bill this year and proposes to pass the Budget and to adjourn the Veto question, I say that is a policy Ireland cannot and will not approve."

The stir caused by this speech was prodigious, and for a whole week there was a state of little less than anarchy in the world of politics. The Radicals and the Labor men ranged themselves on Mr. Redmond's side and it almost seemed for a while that the first division taken in the new Parliament would overthrow the Government. Against any such catastrophe, however, there was the sure safeguard that nobody in the House or out of it looked upon the prospect of another General Election with anything but loathing. There was this further safeguard that before either the Budget or the House of Lords could be dealt with it was absolutely essential to vote Supply before the close of the financial year on March 31st. The War Loan contracted in 1900 had to be redeemed; the deficit of $125,000,000 caused by the action of the Lords in throwing out the Budget had to be made good; Treasury Bills issued during the last few months to furnish ways and means had to be renewed; and unless Supply were voted

there would be no money on and after April 1st for the Army, the Navy, the Civil Service or old-age pensions. Cooler heads, therefore, were well aware that the real issue would be joined after and not before Easter. Nevertheless, the King's Speech was read amid every sign of a crisis, a crisis which its terms immediately heightened. "Proposals," announced His Majesty, "will be laid before you, with all convenient speed, to define the relations between the Houses of Parliament so as to secure the undivided authority of the House of Commons over finance and its predominance in legislation. These measures, in the opinion of my advisers, should provide that this House (*i. e.*, the House of Lords) should be so constituted and empowered as to exercise impartially, in regard to proposed legislation, the functions of initiation, revision and, subject to proper safeguards, of delay." The words in these sentences that added to the perplexities of the situation were the words "so constituted." They meant that the Liberals were not merely going to limit the veto of the House of Lords, but to reform its composition; and to any reform of the House of Lords the Radicals and Labor men, as I have before explained, are totally opposed. The procession of deputations to Mr. Asquith was at once renewed; the "Revolt of the Radicals" took the place for the moment of the "Revolt of the Irish"; and the result of insistent pressure is that all Liberal schemes for reforming the Lords have been indefinitely postponed.

But if in that matter the Radicals bent the Government to their wishes, the Nationalists, Radicals and Labor men—but particularly the Nationalists—were equally successful in forcing the Ministry to adopt their policy in regard to the House of Lords. They have secured precedence for the veto over the Budget and they have obliged Mr. Asquith to bring matters to an issue sooner than he intended. The programme finally evolved out of the clash of factions and policies, and now being carried out as I write, devotes every moment of Parliamentary time up to Easter to the necessary business of voting Supply. After the briefest of Easter recesses the House will then proceed at once to debate the Resolutions which the Government are to propose as a basis for their Bills destroying the Lords' veto on finance and limiting it on legislation. These Resolutions as soon as they are adopted by the Commons will be sent up to the Lords, who will probably

either reject them or postpone their consideration until they are embodied in a Bill. Meanwhile the Budget will be reintroduced, but whether in the form in which it was originally drafted or as part of the Budget for 1910-11 is not yet known. Nor is it known what will happen if the Lords reject or hold up the Resolutions. Will Mr. Asquith at once resign? Will he approach the Crown and ask for the much-talked-of guarantees? And if he does, will he get them? These are vital questions because Mr. Redmond has made it abundantly clear that he will only allow the Budget to pass if the guarantees are sought for and obtained. The general opinion is that the Budget is hopelessly dead and that the Liberal campaign against the Lords will lead direct to an electoral disaster. I am myself inclined to subscribe to this opinion. What the country wants is a House of Lords, reformed in its composition, brought more directly in touch with public opinion, but otherwise maintaining all its present prerogatives intact, except its veto over finance. Under Lord Rosebery's inspiration the Peers have seriously settled down to the task of producing a scheme for their own reform. If it is a drastic scheme, so much the better. But in any case a battle fought out between the Conservatives who advocate the internal reform of the House of Lords and the Liberals who advocate its legislative emasculation can only end in a victory for the former. Liberalism is approaching its *débâcle*. In six months we may easily have a Tariff Reform Government in power; and the fortunes of Mr. Asquith and his followers will only begin to revive when that Government lays on the table of the House of Commons its first Tariff Reform Budget.

SYDNEY BROOKS.

NEW BOOKS REVIEWED.

MUSIC.

"HANDEL was a good old pagan at heart, and until he had to yield to the fashionable piety of England stuck to the opera and cantatas, where he could revel and plunge and frolic without being tied down to orthodoxy." This excerpt from the letters of Edward Fitzgerald sounds the key-note of this new and wholly delightful life of Handel.* "It is as a poet, a sympathizer with and renderer of all estates and conditions, whether of men or things, rather than as a mere musician, that Handel reigns supreme," the author quotes further from Samuel Butler.

Yes; this biography is not so much a volume of musical criticism, though that is not lacking, as it is a delightful picture of the times and the record of the gigantic struggles, the many failures and final victory of that brave, great-hearted human giant Handel. The author throughout relates his subject to the world in which he lived and what a lively, moving, multicolored world that was—the London of the first half of the eighteenth century. What a mass of records there are to draw from, the memoirs and correspondence of Arbuthnot, Gay, Prior, Pope, Walpole; the letters of the Duchess of Marlborough, Lady Cowper, Lady Mary Wortley Montagu, Fannie Burney and Mrs. Delany. Doddington's Diary and Fielding's novels (see Amelia Bk., IV, chap. VII) also furnish descriptions and data of the operatic feuds in which Handel took so lively a part and held his own in so stout and Teutonic a way.

The very method of composing which the author conscientiously lays bare for us shows us the stout old pagan's light-hearted attitude toward creeds and forms. Good music, he contended, was always good, no matter where you used it, and he used a lament

* "Handel." By R. A. Streatfield. New York: John Lane Company, 1909.

sung by a believer over the crucified Christ as a love-song for Ahasuerus, while the duet sung by Esther and her king when she is reassured is the same as that sung by the Blessed Virgin and Christ in His last moments. Stranger yet, the strains in which Haman pleads for his life with Esther are bodily taken from Christ's agony in Gethsemane. The Virgin's lullaby is used later as Pleasure's enticement of Hercules. Sacred music, to Handel, was merely an artistic exercise, and while "Bach is on his knees in the Holy of Holies, Handel marches leading a gayly robed procession down the echoing aisles of the church." In religious, as in secular music, he had an eye for the motley, earthly pageant, and he loved God chiefly and praised Him most devoutly for this lovely earth of sight and sounds.

The author has succeeded delightfully in finding the man Handel not only in the records of the day, but in his music, tracing his character, his view of life, his thoughts, feelings and aspirations as they are set down in his work.

To the same series as the life of Handel belongs the scholarly and delightful life of Hugo Wolf* by Ernest Newman himself. In recent years the original and scholarly musical compositions of Hugo Wolf have led many lovers of true music to a desire to know Wolf more fully and intimately, and to have an insight into the environment and conditions amidst which he gave to the world songs which will go down the ages as classics and operas which will always be of interest to the student of music, although they have not yet been given public performance. Dr. Ernst Decsey has written a most complete biography in four volumes of Wolf, and only recently several smaller works dealing with his compositions and his life have been published. Most of the foregoing, however, are German publications and, therefore, not accessible to many lovers and followers of music in this country. It has remained for Mr. Ernest Newman, one of the very best of our latter-day critics, to write a truly charming and, to a great extent, intimate life of Hugo Wolf. Mr. Newman's book is in two parts, dealing respectively with Wolf's life and his works. It also contains a complete list of Wolf's published compositions.

* "Hugo Wolf." By Ernest Newman. New York: John Lane Company, 1909.

This latter is always a most welcome addendum to any biography and will be cherished by the admirer of Wolf's unique genius. It is hoped that the day is not far distant when Wolf's songs will be procurable in their entirety, with English translations, as every singer and follower of good music is not necessarily an accomplished linguist. In the mean time a careful perusal of Mr. Newman's most admirable life of Wolf will pave the way to a full enjoyment of the works of one of whom it might be said that he has made, possibly, the greatest name among modern song-writers and set a standard in his day very much as Franz Schubert did in the early years of the nineteenth century.

The subtitle of this volume is: "The Story of the Development of a Great Personality,"* a title that would have been much more fitting had the last word read genius. Of the personality of Bach amazingly little is known. Unlike Handel, who was a public man and a courtier, Bach was of the lower middle classes, and to the end he led the life of an obscure musician. The family of Bachs can be traced back to the early sixteenth century; they were peasants or farmers and were scattered over Saxony and Thüringen. One Veit Bach, a baker in Wechmar, was known as a musician and played on the "Cythringen," while his son Hans, a weaver, combined his profession with that of town musician and studied his art with a cousin, Caspar Bach, of Gotha, in Thüringen. The musical endowment of the family seemed to spread through all the branches, and at one time there were seventeen Bachs, all prominent church organists. Bach's audiences were always small, and he never had any temptations to use histrionic devices. Of his life there remain the sparsest records, and the story of his development consists wholly in the learned and technical criticism of his tremendous output of work. No one living is so capable of giving the world such technical analysis of Bach's work as Sir Charles Hubert Hastings Parry, the distinguished professor of music at Oxford and the director of the Royal College of Music. The book, if having little to tempt the average reader, is invaluable to the student, who should combine the reading of the book with a careful study of the scores analyzed.

* "Johann Sebastian Bach." By C. Hubert H. Parry. New York: G. P. Putnam's Sons, 1909.

It cannot be said that Mr. Finck* has in any wise answered the leading question of his subtitle beyond saying that genius, patience and hard work can usually be taken for granted of those who have made any signal success. The book is made up largely from excerpts of his journalistic contributions, and covering, as they do, so wide a field as from Jenny Lind to Geraldine Farrar, from Paganini to Kubelik, with a final part which contains hints to music-teachers, parents and pupils, it would seem to contain something for everybody. The chapter on "Tempo Rubato," contributed by Paderewski, is really valuable to the musician. The book is what, for lack of a better word, one might call "concocted," but good for those who want to keep *au courant* of musical gossip.

Without desiring to be captious, one might ask why, in the very full and detailed account of Geraldine Farrar's career, the two years that she spent studying under Emma Thursby are totally omitted. Miss Thursby really discovered and developed the girl's voice and was the first person to bring her to the notice of prominent singers and musicians. It looks distinctly like the serpent's tooth, therefore, to account for her career and leave out all mention of one of her best teachers. Likewise Mr. Finck does not distinguish, in his enthusiasm for this young and pretty singer, between those anecdotes which show her vivacity and mental ability and those that are simply vulgar. Again, if Mr. Finck's description of Farrar's "Faust" is accurate, it must have changed and failed considerably since he wrote his account.

This valuable volume is too modestly named. Mr. Mason's "Guide to Music"† is valuable for any concert-goer or musical student who desires to listen more intelligently to music. The book contains chapters on "Meter and Rhythm," "Phrases and Phrase Balance," "Music that tells Stories" (programme music), "The Piano Recital," "At a Song Recital," "At a Symphony Concert," "At the Opera," "The Orchestra," etc.

Mr. Mason explains lucidly and carefully and makes clear to the listener what part in the success of the music his intelligence

* "Success in Music and How it is Won." By Henry T. Finck. New York: Charles Scribner's Sons, 1909.

† "A Child's Guide to Music." By Daniel Gregory Mason. New York: Baker & Taylor Company, 1909.

can and should play. There are few of the general concert-goers who would not derive benefit from reading the book carefully and keeping it on the music-shelf for an occasional hint before going to a concert.

THE DECORATIVE ARTS.

Of real moment and value is a work by so distinguished a painter as Mr. Birge Harrison on his own ground of "Landscape Painting."* Precisely because of its general excellence and importance, it deserves the fuller discussion. Such chapters as those on values or on vibration or on composition cannot be praised too highly. Here the trained intelligence, brought to bear on what the natural genius had already divined, speaks with authority and absolutely. The whole was originally addressed, indeed, to art students in their course by a student who had arrived. Though this last, the preface, with its charming modesty and sincerity, does *not* say. But when the painter turns to science, he is on strange ground. His optics may be sound and his chemistry, but his psychology is popular and his connoisseurship incomplete. A man may well know only the landscape painting of the last century and a half in England and France, but he should not then commence: "Landscape art, in its best expression, is and ever has been confined within the narrow geographical limits of northern and western Europe. Oriental art—the art of Persia, Japan and India—has always been more or less abstract and symbolical" and by implication bad landscape. If a man will talk of the East, he should know in the first place that the art of China was infinitely greater than any of these three, and, besides influencing Persia of a certainty and India in probability, was the very source and cistern of all the painting of Japan. In the second place, he should know that China produced and sustained, for more than a thousand years, a great spiritual art of landscape, in comparison with which no Western method may be named, though we all believe and hope with Mr. Harrison that impressionism may some day reach the same height. There exist as near as London, as Detroit, as Boston, paintings in proof. He might learn further and thereafter correct such rash dogmatizing as the paragraph on page 4, that the Italian primitive

* "Landscape Painting." By Birge Harrison. New York: Charles Scribner's Sons, 1909.

understood and interpreted the moods of nature for those who have eyes and ears—Fra Angelo, Leonardo, Piero della Francesca. The bland breath of the spring, the gray dull of the dawn, the mystery of twilight, the terror of vast spaces, were all set down before Constable, Corot or Pissaro came out of limbo. And, lastly, while every good painter as painter should believe as dogmatically as Torquemada in his own precise method of work, when he speaks as a critic he should feel that in the infinite plurality of things other ways may be as good, even his contemporaries'. And that is a hard saying. But, when all is said, this is a delightful book, intimate, friendly, interpretive. The soft flush of the writer's own sunlights lies on it and the sweet airs of his nights blow through it.

The title of this superb set of plates is misleading. It should be: "Notes on some Rood Screens in the West of England, by a local Antiquary and a Working Architect."* It is designed, perhaps, for architects and libraries, not for private persons; but it gives no warning to that effect. There is everything to make enjoyment hard. The plates are numbered consecutively through the two folio volumes, with a good deal of cross-reference, without indication of the volume; and the illustrations scattered irregularly through the text are numbered, but not named or indexed, so that the reader, on coming to a reference to figure so-and-so, may have to search backward through as many as forty-six pages to find it. The text is more or less pieced up out of technical papers and magazine articles, and a dozen instances show that the architect hardly took pains enough to recast his material in a consecutive and intelligible text (for instance, at pp. 202, 358, 388). While it is lawful in such a book to pay old scores against incompetent restorers and ruthless incumbents, or even to praise a friend's work, it is doubtful taste to advertise one's earlier commissions. The opening essay, on ecclesiastical screens in general, is literally inadequate and perfunctory, and the author neglects to say which of his statements are matters of opinion only. On the development of the Basilican type of church, for instance, few good authorities would be found in accord with him. The

* "Rood Screens and Rood Lofts." By Frederick Bligh Bond and the Reverend Don Bede Camm. 2 vols. New York: Charles Scribner's Sons, 1909.

article by Don Camm on painted screens in Devon makes delightful reading, but there, again, the author might have given warning that Norfolk and many other parts of England have others equally quaint. In short, any one intending to pass a few months in the west of England should pore long over the work and fill up a note-book from it. The lists of screens and lofts throughout England are the most important part. Their fulness is tantalizing and inspiring; their accuracy could only be attested by some one who had scoured the English counties more recently than, by their own account, the authors have. What makes enjoyment certain and insures the real and permanent value of the book lies in the collotype plates, fine where they present interiors more or less completely, and incomparable where they present detail of scroll and brass and rich leafage. For clearness and beauty alike they cannot be too much praised. It is a book to borrow and enjoy rather than to own.

If the new book by Mr. Sherrill of "Stained Glass Tours in England"* is not so full of meat as the one of a year ago† that is not his fault, but England's. There is not so much stained glass. Yet the pair are alike peculiarly satisfactory books for the general tourist, delightfully unpretentious, airy, yet trustworthy, not too technical, yet full of information and illumination. After referring the specialist to the best special treatises, Mr. Sherrill takes charge of the average man in his motor-car; plans the itineraries, sketches the maps and, best of all, infuses the enthusiasm. The latest volume is the more leisurely and, if anything, the more enticing. It woos the most rigid purist of continental standards to go a-searching through the friendly, historic English countryside.

A remarkable series of "Little Books on Art," under the general editorship of Cyril Davenport, offers the most satisfactory set of their kind. Each volume is small enough to carry in the pocket, yet serious enough to suit not merely the beginner, but the amateur who has made out a good deal for himself and

* "Stained Glass Tours in England." By Charles Hitchcock Sherrill. New York: John Lane Company, 1908.

† "Stained Glass Tours in France." By Charles Hitchcock Sherrill. New York: John Lane Company, 1909.

wants to classify and co-ordinate his appreciations. It is a pleasure to note that Mr. Edward Dillon's "Arts of Japan"* has come to a second edition, for with its range of illustration and stress on such minor arts as lacquer and metal-work it is an admirable companion.

Mr. John W. Bradley has compressed an immense amount into the three hundred pages or less of the volume on "Illuminated Manuscripts."† Its greatest virtue is the rare one of leaving room for future knowledge and experience—a virtue proper to many French handbooks, but almost unknown here. Nor does it lack matter of controversy or matter of special interest. If the American reader wishes he did not meet so many citations by number and title of MSS. in the British Museum or the Bibliothèque Nationale, that very system of precise reference is infinitely serviceable to the traveller. And vivid and teeming with life are the compact bits of history; for instance, the whole story and atmosphere of the Scriptorium at St. Alban's thrown out in little more than a page.

This stout book‡ tells admirably the things that every one thinks every one else knows, while too often none of us know them; things, therefore, that the beginner often has great trouble in finding out. In addition, it offers some sound advice for forming a taste. It has an uncommonly wide range not merely of understanding, but of sympathy. If the writer seems to care unduly for modern German work, that may be a radical idiosyncrasy; but if he seems to lay too little stress on Italian engravings, that may be because such do not come his way often. His selection, like his comprehension, is amazingly good. The book is lucid, liberal, encyclopædic and inspiring and very provocative of discussions and divagations; the illustrations are admirably chosen and exhaustively employed.

* "The Arts of Japan." By Edward Dillon. Chicago: A. C. McClurg & Co., 1909.

† "Illuminated Manuscripts." By John W. Bradley. Chicago: A. C. McClurg & Co., 1909.

‡ "How to Appreciate Prints." By Frank Wertenkampf, Curator of the Print Department of the New York Public Library. New York: Moffat, Yard & Co.

FICTION.

There is nothing to hold against the Benson brothers but their unfailing industry. Nothing can swerve them from the path of producing a book or two a year. It remains, therefore, for their readers to accept the fact that the matter contained in the books must be slight. "The Reaping,"* by E. F. Benson, is slighter than usual. It is unconventionally invented, the chapter headings bearing the names of the months and the structure being of a rather straggling and casual kind. The usual ingredients, however, are to hand; meditative à la A. C. Benson; the third brother's unfailing interest in the god Pan; also his lasting interest in women's hair, which the author brushes and describes much as he has done in "The Climbers" and other volumes. There is also a ghost, a warning, reflections upon death, à la R. H. Benson, as well as of a great deal of charming landscape and light laughter. The doctrine is Stevenson's of cheer and kindness at all costs; excellent doctrines, but not gripping nor vitalizing. It is sad, but somehow the ultimate amiability of all things was always and remains still a tepid inspiration. The book is very gentle, sweet-spirited and kindly, and if it were by a young and unknown author we should hail it with pleasure and delight; but Mr. Benson must submit to the criterion of his past. Our demand upon him is like that the little schoolgirl made of the readier elder sister who wrote her compositions for her week by week: "Now be sure and make me improve a little since last time," she would urge. We want Mr. Benson to improve a little each time. He is still quite young enough, and we recommend a stern experience of deprivation and misery or a very undermining course of reading; not so much that he may, as Neitzsche might say, hold more correct views, but that he should liberate himself from what is customary either successfully or disastrously. It is a great doctrine to set one's faith upon, that a big failure is better than a slight success.

* "The Reaping." By E. F. Benson. New York: Doubleday, Page & Co., 1909.

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MICHELANGELO.

BY RHYS CARPENTER.

I.

STERN and grim-visaged, gaunt, and dark of gaze,
  Time crouches in the outer-world of night
Amid the shifting and entangled maze
  Of dusk and star-shine and half-lightless light,
And with strong fingers moulds the unformed clay,
Ruling the refluence of night and day
  With shape of sun and satellite.

All men he fashions and all living things,
  All aspiration and all great desire,
The might of conquerors, the strength of kings,
  The universal forces, good or dire,
The star dust blown through windy heights of space,
The glimmer from the utmost bounds of place,
  The thunderous comet flight of fire.

One dream he holds forever in his eyes
  And vainly strives to fashion with his hands,
A wonder world of storm unclouded skies
  And mystically Spring encompassed lands,
A vision of all men become as Gods,
Unbroken with despair, unbowed by rods,
  Freed of all tyrants' subtle bands.

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Ever his hands are set within the clay
To mould therein some flawless masterpiece,
Some image strong and perfect for alway;
Yet ever, when creative fingers cease
Their toil at length and Time beholds the deed,
He knows it faulty, as a rotted reed
Whereon no lips shall ever play.

Therefore all things are shattered by Time's will,
And dust, made clay, crumbles again to dust,
And nought endures forever, good or ill,
Not joy nor pain, not love nor bitter lust,
But all things pass and are forgotten all,
Like brown and sear frost-stricken leaves that fall
Before the winter wind's first gust.

Yet is not all in vain, for oftenwhile
Beneath the hands of Time some soul more fair
Fulfils existence without taint or guile
And sets his feet upon the upward Stair.
These are the artists of the world, whose breath
Blows on the spark of shifting life and death
Until the beacon fires upflare.

So wrought the hands of Time and fashioned One
And bade him live and move among mankind
And gave him sight of star and moon and sun
And cognizance of passion strong and blind,
Of visions high and fearless, and of dreams
More strange and fair than glimpse of sunless streams
Or phantom voices of the wind.

Gazing upon this child of his dim brain
Time saw him toiling on the earth below
Through pain to splendid hope, through hope to pain,
Beheld strange wonders from his dreaming grow,
Beheld men marvel at him when they saw,
Fearless and naked, without stain or flaw,
The works of Michelangelo.

II.

We gaze on life as one who holds a glass
  Across whose surface hasten restless gleams,
Where dim processionals half hidden pass
  Through lands where no full-flooded daylight streams.
We know not what we see nor by what breath
The mirror's face is clouded as with death;
  All is but as a world of dreams.

We are engirt with mystery; our way
  Is fraught with shadow: from amazed eyes
We watch life's ocean with its flux and sway
  And of its hidden depths have no surmise.
All men alike are brought forth frail and weak,
With limbs that fail them, lips that cannot speak,
  And strength that serves but sorry wise,

Yet each man moveth into solitude
  And none shall know what thoughts his hands obey,
Nor with what might his visions are imbued,
  Nor on what height his feet tread out their way.
Imperishable thought, immortal will
Their unknown course foreorder and fulfil
  And no man sees what path they stray.

How shall we know, then, with what ardor's heat
  Lived, grew and labored Michelangelo,
Upon what upward hills he set his feet,
  How thought and dreamed? Alas, how shall we know?
For he that stoopeth at the deep stream's brink
May only from the idle surface drink
  And knoweth not the hidden flow.

And with what thoughts did he at table sit
  Within the house of that de Medici
Among whose praises foremost it is writ
  That he foreknew the sculptor that should be;
How strove he with the visions that assailed
His growing power, how triumphed and how failed,
  How prospered in his artistry?

Waste places and great silence, barren hills,
  Storm winds that rage through black chaotic deep,
Caverns unsunned, and seas which no light fills,
  Gloom-darkened mountain-tops where never creep
The day's wan glimmerings, the might of fire,
Strange dreams of conquest and unknown desire,
  Dark underworlds where Titans sleep,

These are the musings of colossal minds,
  The touchstones of a true and noblest worth;
No lesser men may know what vision binds
  Art's brows nor with what thoughts she moves on earth;
Men only see the children of her hands
And know not in what dream-encircled lands
  These were conceived and given birth.

In such a world moved Michelangelo
  With thoughts enpeopled by gigantic forms
And ceaseless phantoms that must come and go,
  Hurled hitherward and thither by fierce storms;
And nought too harsh or hard there was on earth
Of all things unto which the sun gives birth
  Or with conceptive sunlight warms.

III.

Ghiberti, Donatello dead,
  There came to Florence one who strove
To hew his life where these had led;
  (But lo, his eager spirit clove
A way that loosed all portal bars,
A path that brought him to the stars
  And into heaven's fierce light updrove.)

With faultless eyes he viewed his fellows' task
  And with sure skill and strong, unwavering hand
Set fault aright if ever these might ask;
  Men say that his own master's labors, scanned
By his stern eye, were forced to yield some flaw
Which his firm brush could better, since it saw
  A fairer line at its command.

Florence, unwilling, gave him unto Rome
To rear and cherish. There he strove and wrought
And with strong footsteps ever higher upclomb
Till from the sun unearthly flame he caught.
There Rome approached with wondering, awe-struck face
His fair Madonna with her virgin grace
Above the dead Christ sorrow fraught.

Before the might of manhood, to him came
Art with her girdle, whereon hung the keys
Wherewith his hands should open doors of Fame
And enter to those hidden mysteries
Whereof no man may tell save he whose soul
Is set unwearied toward that far-off goal
Which lightens on the utmost seas:

In Florence old a mass of marble stood,
Huge and unwieldy, which no hand might tame,
Wherefrom no skill of art's full multitude
Could fashion ought of beauty, till there came
This Florentine who held no task too high
And from this shapeless stone wrought symmetry
And beauty and immortal fame.

Within the Sistine Chapel, set apart,
From all companionship, he strove and wrought,
Searching the utmost depths and heights of art
And seeking that which no man's hand had sought;
Vast mysteries of man created into pain,
The agony of evil, the world's bane,
Man's happiness that came to naught.

And when the years had sunken and his life
Turned downwards toward the waters of the West,
In that same chapel he wrought out the strife
Of good and evil, and the last behest,
The last stern judgment, which none might forfend,
The final outcome, the Titanic End,
The inexpressible expressed.

IV.

How shall a poet play the subtle reed?
  How shall a painter weave the web of song
With words for woof? How shall the dreamer lead
  Great armies into battle? From what thong
Shall warrior loose the shaft of wisdom's bow?
Yet unto praise of Michelangelo
  Not one, but many arts belong.

His hands that cut new wonders out of stone
  Could paint the Sistine's triumph and could set
Thought's imagery within the subtle tone
  Of rhyme and rhythms such as none forget;
And he who built St. Peter's dome was he
Who guarded his loved city's liberty
  And in war's grimmest council met.

Great visions were indwellers of his mind,
  Eternal passions which transcend the years,
The laughter and the grief of humankind,
  The exaltation and the bitter tears,
The love that strikes the stars beneath its feet,
Delight, for whom all utmost praise is sweet,
  Despair, thorn-girdled, and black fears.

False lights beguiled him never, in the day
  He saw the sun and knew no lesser beam,
Within the night glittered the stars alway
  With steadfast and unalterable gleam.
What need to follow marsh-lights of the earth?
Across the heaven's immeasurable girth
  The vast eternal starways stream.

No lanterns of the deep, unlighted fen,
  No faithless lure across the floorless sedge
Led him within the kingdom of lost men
  Where rules the Marsh-king. At the pool's black edge
He stood unmoved and watched the shifting light
That strove to draw him down to endless night
  In depths where no man's net may dredge.

False passions held him not, nor stain of lust;
He knew not envy and he kept unknown
The sight of them who ceaselessly upthrust
Hate's Gorgon head, turning the world to stone.
He lived in silence, seeking no man's praise,
And none might turn him from his changeless ways,
He wrought unresting, and alone.

All Italy was darkened when he died
And Florence was a city without light;
All men laid from them jealousy and pride
To praise this man departed from their sight;
And ever one unto another said,
"The last great sculptor of the world is dead,
The last great soul hath taken flight."

V.

Beyond all worlds within the thought of man,
Time sits before his ceaseless task and turns
The stars that, too, endure but for a span,
The light that but for some short cycle burns.
His hands destroy all things, his hands create
All things but to destruction: not in hate
But sorrow, each new toil he spurns.

St. Peter's dome shall one day be no more,
The ceilings of the Sistine Chapel fade
And all its splendor with dim mould run o'er
And all its lights be darkened into shade,
The David shall be stricken and the tomb
Of San Lorenzo visited with gloom,
Marble and dust be equal made;

And men of some strange other race than ours
Shall wander in the alien hills of Rome,
And where St. Peter's was shall blossom flowers
To hide the ruins of a shattered dome;
Then fame of Michelangelo shall be
As far-off clamor of an unknown sea,
As whisper of the wind-swept foam.

Peace! peace! against immutable decree
Strive not in idle battle, for thy sword
Shall shiver into shards, and Destiny
O'errun the world plain with her phantom horde.
What knowledge hast thou of the Faultless Plan,
What vision of the purposes of man,
That thou shouldst turn against thy lord?

Thou canst not say unto what final end,
What triumph or what sorrowful despair,
Thine own life moves and thy poor efforts tend,
Or whether thine own deeds are false or fair.
And if of this man's toil no stone remain,
Canst thou yet say that he has wrought in vain
With visions woven out of air?

For genius is not as the lightless spheres
That move forever round one central sun
In changeless motion through unchanging years
And must alway return whence they begun,
But as some splendid flame-enveloped star
Drawn inward from dusk outer-worlds afar,
Whose coming is foreseen of none:

And if the sun grow cold and earths that move
Forever in one steadfast orbit's reign
Be lost in shadow, shalt thou therefor prove
No limit to the shadowland's domain,
Or say there is no space transcending space?
Nay; set no mournful issue to thy race;
Genius has never been in vain;

Through thronging pathways where dull planets turn
It moves upon the fierce wings of its flight
Till full against the sun its passions burn,
Then wheels and thunders outward into night,
Beyond the furthest planetary spheres,
Beyond the cycles of the changing years,
Into unfurrowed fields of light.

RHYS CARPENTER.

HIDE-AND-SEEK POLITICS.

BY WOODROW WILSON.

THE political discussions of recent years concerning the reform of our political methods have carried us back to where we began. We set out upon our political adventures as a nation with one distinct object, namely, to put the control of government in the hands of the people, to set up a government by public opinion thoroughly democratic in its structure and motive. We were more interested in that than in making it efficient. Efficiency meant strength; strength might mean tyranny; and we were minded to have liberty at any cost. And now, behold! when our experiment is an hundred and thirty-odd years old, we discover that we have neither efficiency nor control. It is stated and conceded on every side that our whole representative system is in the hands of the "machine": that the people do not in reality choose their representatives any longer, and that their representatives do not serve the general interest unless dragooned into doing so by extraordinary forces of agitation, but are controlled by personal and private influences; that there is no one anywhere whom we can hold publicly responsible, and that it is hide-and-seek who shall be punished, who rewarded, who preferred, who rejected,—that the processes of government amongst us, in short, are haphazard, the processes of control obscure and ineffectual. And so we are at the beginning again. We must, if any part of this be true, at once devote ourselves again to finding means to make our governments, whether in our cities, in our States, or in the nation, representative, responsible and efficient.

Efficiency, of course, depends largely upon organization. There must be definite authority, centred in somebody in particular whom we can observe and control, and an organization built

upon obedience and co-operation, an organization which acts together, with system, intelligence, and energy. We were afraid of such an organization at the outset. It seemed to mean the concentration of authority in too few hands and the setting up of a government which might be too strong for the people. Our chief thought was of control. We concluded that the best means of obtaining it was to make practically every office elective, whether great or small, superior or subordinate; to bring the structure of the government at every point into direct contact with the people. The derivation of every part of it we desired should be directly from the people. We were very shy of appointments to office. We wished only elections, frequent and direct.

As part of the system,—we supposed an indispensable part,—we defined the duties of every office, great or small, by statute and gave to every officer a definite legal independenec. We wished him to take his orders only from the law,—not from any superior, but from the people themselves, whose will the law was intended to embody. No officer appointed him and no officer could remove him. The people had given him his term, short enough to keep him in mind of his responsibility to them, and would not suffer any one but themselves to displace him, unless he became himself an actual breaker of the law. In that case he might be indicted like any other lawbreaker. But his indictment would be a family affair; no discipline imposed upon him by his superiors in office, but a trial and judgment by his neighbors. A district attorney, elected on the same "ticket" with himself, would bring the matter to the attention of a grand jury of their neighbors, men who had in all likelihood voted for them both, and a petit jury of the same neighborhood would hear and decide the case if a true bill were found against him. He stood or fell by their judgment of the law, not by his character or efficiency.

A sheriff in one of the States suffered a prisoner to be taken from him by a mob and hanged. He made no show or pretence even of resistance. The Governor of the State wrote him a sharp letter of rebuke for his criminal neglect of his duty. He replied in an open letter in which he bluntly requested the Governor to mind his own business. The interesting feature of the reply was not its impudence, but the fact that it could be written with perfect impunity. The fact was as he had stated it. He was

not responsible to the Governor or to any other officer whatever, but only to the voters of his neighborhood, many of whom had composed the mob which took his prisoner from him and hanged him at their leisure. He was never called to account for what he had done.

This is a sample of our direct responsibility to the people as a legal system. It was very serviceable and natural so long as our communities were themselves simple and homogeneous. The old New England town meeting, for example, was an admirable instrument of actual self-government. Where neighborhoods are small and neighbors know one another they can make actual selection of the men they wish to put into office. Every candidate is known by everybody, and the officers of government when elected serve a constituency of whose interests and opinions they are keenly and intimately aware. Any community whose elements are homogeneous and whose interests are simple can govern itself very well in this informal fashion. The people in such a case, rather than the government, are the organism. But those simple days have gone by. The people of our present communities, from one end of the country to the other, are not homogeneous, but composite, their interests varied and extended, their life complex and intricate. The voters who make them up are largely strangers to each other. Town meetings are out of the question, except for the most formal purposes, perfunctorily served; life sweeps around a thousand centres, and the old processes of selection, the old bases of responsibility, are impossible. Officers of government used to be responsible because they were known and closely observed by neighbors of whose opinions and preferences they were familiarly aware; but now they are unknown, the servants of a political organization, not of their neighbors, irresponsible because obscure, or because defended by the very complexity of the system of which they form a part. The elective items on every voter's programme of duty have become too numerous to be dealt with separately and are, consequently, dealt with in the mass and by a new system, the system of political machinery against which we futilely cry out.

I say "futilely cry out" because the machine is both natural and indispensable in the circumstances and cannot be abolished unless the circumstances are changed, and very radically changed at that. We have given the people something so vast and compli-

cated to do in asking them to select all the officers of government that they cannot do it. It must be done for them by professionals. There are so many men to be named for office; it is futile to name one or two unless you name a whole ticket; the offices that fill a ticket are so many and so obscure that it is impossible the thing should be done informally and offhand by direct, unassisted popular choice. There must be a preliminary process of selection, of nomination, of preparing the ticket as a whole, unless there is to be hopeless confusion, names put up at haphazard and nobody elected by a clear majority at the end. The machine is as yet an indispensable instrumentality of our politics.

Public opinion in the United States was never better informed, never more intelligent, never more eager to make itself felt in the control of government for the betterment of the nation than it is now; and yet, I venture to say, it was never more helpless to obtain its purposes by ordinary and stated means. It has to resort to convulsive, agitated, almost revolutionary means to have its way. It knows what it wants. It wants good men in office, sensible laws adjusted to existing conditions, conscience in affairs and intelligence in their direction. But it is at a loss how to get these. It flings itself this way and that, frightens this group of politicians, pets that, hopes, protests, demands, but cannot govern.

In its impatience it exaggerates the inefficiency and bad morals of its governments very grossly and is very unfair to men who would serve it if they could, who do serve it when they can, but who are caught in the same net of complicated circumstance in which opinion itself finds itself involved. There is no just ground for believing that our legislative and administrative bodies are generally corrupt. They are not. They are made up for the most part of honest men who are without leadership and without free opportunity; who try to understand the public interest and to devise measures to advance it, but who are subordinate to a political system which they cannot dominate or ignore. The machinery of the bodies to which they belong is inorganic, as decentralized as our elective processes would lead one to expect. No one person or group of persons amongst them has been authorized by the circumstances of their election to lead them or to assume responsibility for their programme of action. They

therefore parcel out initiative and responsibility in conformity with the obvious dictates of the system. They put their business in the hands of committees,—a committee for each subject they have to handle,—and give each of their members a place upon some committee. The measures proposed to them, therefore, come from the four quarters of the heaven, from members big and little, known and unknown, but never from any responsible source. There can be neither consistency nor continuity in the policies they attempt. What they do cannot be watched, and it cannot be itself organized and made a whole of. There is so much of it and it is so miscellaneous that it cannot be debated. The individual member must do the best he can amidst the confusion. He has only an occasional part and opportunity.

He is controlled, as a matter of fact, from out-of-doors,—not by the views of his constituents, but by a party organization which is intended to hold the heterogeneous elements of our extraordinary political system together.

When public opinion grows particularly restless and impatient of our present party organization, it is common to hear it defended by the argument that parties are necessary in the conduct of a popular government; and the argument can be sustained by very sound and eloquent passages out of Burke and many another public man of the English-speaking peoples who has seen below the surface of affairs and convinced us of the real philosophy of our form of government; but the argument is quite aside from the point. Of course parties are necessary. They are not only necessary, but desirable, in order that conviction upon great public questions may be organized and bodies of men of like opinion and purpose brought together in effective and habitual co-operation. Successful, orderly popular government is impossible without them. But the argument for our own particular organization of parties is quite another matter. That organization is undoubtedly necessary in the circumstances, but you cannot prove its necessity out of Burke or any other man who made permanent analysis of liberty. We could have parties without organizing them in this particular way. There have been parties in free governments time out of mind and in many parts of the world, but never anywhere else an organization of parties like our own.

And yet that organization is for the time being necessary. It

centres, as everybody knows, in the nominating machinery. There could be no party organization if our elective system were literally carried out as it was intended to be, by the actual direct and informal selection of every officer of government, not by party agents or leaders, but by the scattered voters of the thousand neighborhoods of a vast country. It was necessary to devise some machinery by which these innumerable choices should be co-ordinated and squared with party lines. It was a huge business and called for a compact and efficient organization.

Moreover, there was more than the process of selection to be overseen and directed. Students of our political methods have not often enough brought into their reckoning the great diversity of social and economic interest and development which has existed among the different sections and regions of this various country, which even yet shows every stage and variety of growth and make-up and an extraordinary mixture of races and elements of population. It has been necessary to keep this miscellaneous body together by continual exterior pressure, to give it a common direction and consciousness of purpose by sheer force of organization, if political action was not to become hopelessly confused and disordered. It was not conscious of any immediate solidarity of interest or object. It might have broken up into a score of groups and coteries. We might have had more parties than France, as many sections of political opinion as there were distinctly marked regions of population and development. Party interest has been kept alive, party energy stimulated, by entrusting to local agents and leaders the duty of seeing to it that systematic party nominations were regularly made and urged upon the voters by organized campaigns, whether there was any natural reason or not why, in any given locality, this party or that should be preferred; and national parties have been pieced together out of these local fragments. The creation of the parts was necessary to the creation of the whole. I do not know how else co-ordinated parties could have been made out of such heterogeneous materials and such diversified interests.

The result has been that the nominating machinery has become the backbone of party organization. By it local leaders are rewarded with influence or office, are kept loyal, watchful and energetic. By it national majorities are pieced together. If one goes back to the source of this matter, therefore, it is easy to see

that the nominating machine was no barnacle, but a natural growth, the natural fruit of a system which made it necessary to elect every officer of government. The voter has not the leisure and, therefore, has not the knowledge for the difficult and intricate business. He cannot organize a government every year or two, make up its whole personnel, apply its punishments and rewards, effect its dismissals and promotions. Neither is there any officer or any group of officers of the government itself who can organize it for him, for no officer has the legal authority. The structure of the government is disintegrated by the law itself, so far as its personnel is concerned. The constitutions and statutes by which the officers are created endeavor, of course, to integrate their functions; but they disintegrate their personnel by making each officer the direct choice of the voters. The only possible means of integration lies outside governments, therefore, and is extra-legal. It is the nominating machine. The machine applies the necessary discipline of administration and keeps the separately elected officers of one mind in the performance of their duties,—loyal to an exterior organization.

The punishment it inflicts is definitely and clearly understood. It will not renominate any man who when in office has been disobedient to party commands. It can in effect dismiss from office. Any one who wishes to remain in public life, at any rate in the smaller and less conspicuous offices within the gift of the managers, must keep in their good graces. Independence offends the machine deeply, disobedience it will not tolerate at all. Its watchfulness never flags; its discipline is continuous and effective. It is the chief instrument of party government under our system of elections.

Thus have we necessitated the setting-up outside the government of what we were afraid ourselves to set up inside of it: concentrated power, administrative discipline, the authority to appoint and dismiss. For the power to nominate is virtually the power to appoint and to dismiss, as Professor Ford has pointed out in his lucid and convincing "Rise and Growth of American Politics." It is exercised by the bosses, instead of by responsible officers of the government,—by the men who have charge of the nominating machinery: men who are themselves often entirely outside the government as legally constituted, hold no office, do not ask the people for their suffrages, and are picked out for

their function by private processes over which the people have no control whatever. They are private citizens and exercise their powers of oversight and management without any public invitation of any kind. Just because there are innumerable offices to be filled by election, just because there are long and elaborate tickets to be made up, just because it needs close and constant attention to the matter to perform the duty of selection successfully,—as careful and constant attention as the superintendent of a great business or the head of a great government bureau has to exercise in selecting and keeping up the personnel of his factory, his office, or his bureau,—it cannot possibly be done by the voters as a body. It requires too much knowledge and too much judgment, bestowed upon little offices without number as well as upon great. No officer of the government is authorized to appoint or select. Party managers must undertake it, therefore, who are not officers of the government; and their nominations are virtual appointments if they belong to the successful party. The voters only choose as between the selections, the appointees, of the one party boss or the other. It is out of the question for them to make independent selections of their own.

If this machine, thus bossed and administered, is an outside power over which the voter has no control,—which he can defeat only occasionally, when, in a fervor of reform, he prefers the candidates of some temporary amateur machine (that is, nominating apparatus) set up by some volunteer "committee of one hundred" which has undertaken a rescue,—it is the system which is to blame, not the politicians. Somebody, amateurs or professionals, must supply what they supply. We have created the situation and must either change it or abide by its results with such patience and philosophy as we can command.

Our efforts at reform have been singularly misdirected. For years we labored at the reform of the ballot itself, as if the way we printed it and the way we voted it were at fault. We adopted the so-called Australian method of voting, for example; isolated the voter in a closed booth, made it as easy as possible in the circumstances for him to mark and alter his ballot unscrutinized and unmolested, and passed laws which gave groups of voters not formally organized as parties the right to put names in nomination on the official ballot which had not passed through the party caucus or any other part of the machine. Finally in many of

the States where the ardor of non-partisan action was warmest, we forbade the placing of any party sign or symbol at the head of the list of candidates printed on the official ballot, contrived a blanket ballot on which the names of all nominees were printed in impartial alphabetical order under the names of the several offices for which they had been nominated, so that the voter,—such was our unsophisticated hope,—might choose the best man for each office without regard to who had nominated him, whether a regular party machine or a group of independent voters nominating by petition. I have seen a ballot of this kind which contained seven hundred names. It was bigger than the page of a newspaper and was printed in close columns as a newspaper would be. Of course no voter who is not a trained politician, who has not watched the whole process of nomination carefully, who does not know a great deal about the derivation and character and association of every nominee it contains, can vote a ticket like that with intelligence. In nine cases out of ten, as it has turned out, he will simply mark the first name under each office, and the candidates whose names come highest in the alphabetical order will be elected. There are cases on record where shrewd seekers of office have had their names changed to names beginning with some letter at the head of the alphabet preparatory to candidacy on such a ballot, knowing that they had no chance of election otherwise. And of course politicians govern themselves accordingly in choosing a winning ticket. They are always the professionals, whatever system of choice you oblige them to employ, and always know better than any one else the actual results of the processes used.

It is very desirable to have secret voting to protect the voter against scrutiny or any kind of coercion, direct or indirect; it may be very desirable to have non-partisan nominations; but no secret or non-partisan device can make it possible for the voter to use such ballots intelligently or to pick out his own candidates for office when there are a multitude of offices to be filled. It is the size and variety of the ballot that perplexes and baffles him, be he never so intelligent and never so anxious to vote for the best candidates. He cannot possibly make himself acquainted with the individual claims of the men whose names appear on these long lists. Many of the offices he is voting to fill are themselves as obscure as the men who have been nominated

to occupy them. He is not interested in the list as a whole. A few conspicuous names upon it, candidates for the greater offices, he may have heard something about, a candidate for Congress or for the Governorship of his State, but the rest are mere names to him. It is impossible that he should discriminate. He is excusable if he presently comes to think of the whole thing as a farce and for feeling that, do what he will, the politicians will take him in. He has in any event no choice but to put himself in their hands. It is too occult a business for him to fathom.

The result is the unchecked power of the irresponsible politician; and some of the consequences are painfully interesting. Since the choice of candidates for office is a matter of private arrangement; since nominees thus chosen are our lawmakers, and our lawmakers by the same token appointees of the nominating machine, it follows very naturally that public business loses its public character and becomes itself a matter of private arrangement. It is settled in private conferences at State capitals and at Washington, not by public discussion, and the voters are informed what was actually agreed upon after an election, not before it. The Secretary of the Treasury smilingly informed a public audience the other evening that the monetary commission of which Senator Aldrich is chairman, and which is expected to recommend to Congress well-considered measures for the reform of our banking and currency systems, would probably not make its report until after the next Congressional elections. The plain inference was that the commission thought it best, before making its report, to wait and see which party would be in control of Congress, and thought it imprudent to let their conclusions be known before the elections for fear that they might in some way affect the result. In short, they deemed it best that the people should not be given an opportunity to discuss or express an opinion upon their own affairs, upon some of the most important and far-reaching questions now awaiting their decision! Judge by the sample. Elections must be managed by the subtle alchemy of nomination, with as little regard to public questions as possible, and then the appointees of the successful managers must decide those questions in the best interest of the party in power.

It is thus that the public business is managed with as careful privacy as the business of any private corporation. Corporations

will, indeed, when they are well and wisely managed, often take the public more into their confidence than the managers of government do, in order to enhance the credit of the corporation and increase or steady the value of its securities in the money-market, as well as the sale of its products. But politicians are very secretive. They have become so by the habit of the system. Debate has fallen out of fashion in our legislative assemblies because the business of those assemblies is for the most part discussed and prepared by committees. The sittings of their committees are seldom public, except upon extraordinary occasions. Even when they are public few persons except those directly and privately interested attend, and the matter is too particular, too much like a mere single item of the session, to attract the attention of the ordinary newspaper. The business of legislation, therefore, like that of nomination, is for the most part conducted in private by the conference of small groups of men under party discipline. The public is not present either in fact or in thought. Committeemen get into the habit of being reticent and silent about what occurred in the committee-room and soon find themselves under the impression that it is their own private affair, anyway.

The habit spreads to the deliberative bodies themselves. Boards of Aldermen will often refuse to open their debates to reporters or to publish the names of those who voted *Aye* or *No* in the division when the debate was ended. And on the administrative side much of what is to be done or proposed is agreed upon by private conference between the executives of our cities and States and the party managers,—sometimes the managers who appear in public and are known, sometimes those who keep in the background and occupy no office, but are nevertheless omnipotent in matters of nomination and who wish the executive business of the government to be carried on in a way which will not embarrass them. And so, wherever we turn, we find the intimate business of government sealed up in confidences of every kind: confidences against the people with regard to their own affairs; confidences with regard to the way in which their interests are to be served and safeguarded. Public discussions are the mere formal dress parade of politics.

It was very amusing, when Mr. Roosevelt was President, to notice how seasoned politicians shivered when he spoke in pub-

lic,—shivered at his terrible indiscretions, his frank revelations, whenever he chose, of what was going on inside political circles, his nonchalant failure to keep any confidences whatever that he chose to make public use of. He spoke of any inside matter he pleased, as if it were the people's privilege to know what was going on within their government. He may have chosen and chosen very astutely which confidences to keep, which to break, but he was strong and popular in proportion as he broke them and gave the people the impression that he was really telling them all he knew about their business, about the men and the motives which were retarding the proper transaction of their business and the proper correction of the abuses under which they were suffering at the hands of men who enjoyed the confidence and protection of the managing politicians.

There is no ground for wonder that under a system under which it is constant hide-and-seek to discover who is responsible, to find out where public action originates and whither it is tending, this system of confidences should have sprung up. I do not know that any one in particular is to blame. But the situation is certainly extraordinary and makes it thoroughly worth while to inquire how the people may be reintroduced into their own affairs.

It is high time. The people must be brought into their own again. They have been excluded from free and effective participation in their own governments too long,—so long that a universal distrust of representative methods of government has sprung up, a universal suspicion that there is nowhere any candor or honesty in the administration of public business, and we are in danger of revolutionary processes, of very radical changes which might be as futile as what we have already attempted by way of reform, while all the while a remedy, a very simple remedy, is at hand. We have not fallen upon these evil ways by any one's sinister intention or machinations, but the fact is the same. The system we are under, though nobody invented it to cheat the people, has grown up and does cheat the people and must be done away with by very definite intention.

There is no reason to despair, or even to tire, of representative government. It has not failed, as some suppose, because it is representative and not direct. It has come near to breaking down only because it is not representative, only because the people of this country are prevented by the system of elections in which

they have become entangled from electing representatives of their own choice. The people of other countries are not prevented. They manage to get their will very directly expressed, alike in legislation and in the administration of their governments. Foreign cities, for example, succeed excellently well, as well as it is reasonable ever to expect to succeed in matters of such magnitude and complexity, in getting their affairs administered in the way a majority of their people really wish them to be administered. Most of the badly governed cities of the civilized world are on this side of the Atlantic, most of the well governed on the other side; and the reason is not accidental. It has nothing to do with differences of capacity or of virtue or of theory, nothing to do with differences of principle or of national character. It results from differences of organization of the most fundamental and important kind which cut to the very roots of the whole matter.

Let the city of Glasgow serve as an example. It is known as one of the best-governed cities in the world, is a thoroughly modern city teeming with factories and with the movements of a great commerce and handling a vast population under many a natural disadvantage, and its government is not in any essential particular peculiar to itself. It is a sample, though a favorable sample, of the way in which most European cities, great and small, are governed. Its administration is entirely in the hands of its municipal council, which has a membership of thirty-two. The mayor of the city has no independent executive powers. He is merely chairman of the council and titular head of the city when it needs a public representative on formal occasions, when it welcomes guests or undertakes a ceremonious function. There is no upper and lower chamber of the council: it is a single body. It is not a legislature. No city council is. It is an administrative body conducting the business of a great chartered corporation. Its members are elected by the voters of the city by wards, one councilman for each ward. The voter's connection with the government of the city is very simple. He votes for only one person, the councilman from his ward. That is his whole ticket.

In its simplicity lies his power. He does not need the assistance of professional politicians to pick out a single candidate for a single conspicuous office. Any group of interested or public-

spirited neighbors can do that. And the simple structure of the city's government enables him to follow his representative throughout every vote and act of administration. The council divides itself into committees, a committee for each branch of the city's business. All the actual executive servants of the city are appointed and are the responsible agents of the several committees under which they serve. All business is public, whether transacted by the council as a whole or by its committees. Everything that is done or agreed upon is published in full in the "Glasgow Herald," with the votes taken and the names of those who voted this way or that. By a mere glance at his morning paper the voter can keep his eye upon his own particular representative and know what he is doing, whether in the council or in the committee to which he has been assigned. His votes speak for themselves. His responsibility is unmistakable. Another candidate may easily be nominated if his record is unsatisfactory and a whole campaign centred, so far as that ward is concerned, upon the definite question of a choice between this man and that. That is representative government. If all the officials of the city government, or even the chief of them, were elected upon a common ticket it would not be. A machine would be necessary, amateur or professional, and the direct representative principle would, in fact, disappear.

The same idea underlies one of the most interesting reforms that has recently been undertaken in our own cities. Following the example of Galveston, in Texas, a number of our cities have obtained from the legislatures of their States charters which authorize them to put their administration entirely in the hands of a small commission consisting generally of only five or six persons. The voter's attention is concentrated upon this commission both at election-time and throughout the course of its administration. This ticket of five or six names is the only ticket he is called upon to vote. The results have in several cases been extremely satisfactory, though the experiment has nowhere been of long enough standing to justify the formation of a confident or final judgment as to its ultimate effects. The commission has felt the responsibility and has responded to it. The voters have known by whom they were being governed and the nominating machine has, of course, sunk into insignificance. It remains a question, however, whether the load imposed upon the commission

is not too heavy, whether it is fair to hold so small a body of men wholly responsible for the successful administration of a modern city. Can five men, by any feasible division of labor, so long as a working day has only a limited number of hours in it and every man must take a little sleep and recreation, master the affairs committed to their charge in sufficient detail really to keep them clear of inefficiency and abuse? It will probably turn out that it requires a considerably larger body of men really to direct and control matters of such magnitude and variety. But that need not result in putting a greater burden on the voter and bringing the nominating machine again into existence as his indispensable assistant and ultimate master. He need not be made to vote for the whole body upon a common ticket. He need only vote for the representative from his own ward. The essential thing is that his task should be comprehensible and manageable, that the men he is called upon to vote for should be so few that he can select them for himself or at least easily judge the action of those who do select them.

That this is the simple and effectual solution of the matter, the certain means of restoring to the people a genuine choice of representatives and by the same token a genuine representative government, is no matter of conjecture. It has been tried,—in every country but our own, until we began to set up governments by commission,—and has had the desired result. It is not a panacea. It is a conclusion of obvious common sense. If the trouble is that we have given the people an impossible task in asking them to choose the whole personnel of our governments, and have thereby put them in the hands of persons to whom they are, by reason of its very complexity, obliged to depute it, the obvious remedy is to make their task simple and practicable, to make it something that they can do and can take an interest in doing without neglecting their daily business and turning politicians. We have been mistaken,—this is the long and short of the matter,—in supposing that we were giving the people control of their governments by making all offices elective. We actually, as a matter of fact and of experience, put them in control only when we make only the chief, the really responsible offices elective, allow those whom we elect to appoint all minor officials, all executive agents, and hold them strictly responsible as the superintendents of our business. Our own experience has been very

instructive in this matter in particulars which we have not enough observed. For example, the Governor of New Jersey, like the Governors of one or two other States of the Union, is entrusted with the power of appointing all the judges of the State, and the bench of New Jersey is famous for its excellence, much more famous than the bench of neighboring States whose judges are elected. The State has had Governors good, bad, and indifferent, but all alike have made excellent appointments to the bench. They could share the responsibility with no one and it was a very conspicuous responsibility. In that matter if in no other the eye of public opinion was centred upon them personally, not merely upon their party. They could not venture to do that thing ill or in the interest of any coterie or machine. It always operates so, though we have not always taken note of the fact or understood the scope of the inference.

The short ballot is the short and open way by which we can return to representative government. It has turned out that the methods of organization which lead to efficiency in government are also the methods which give the people control. The busy owner is more effectually in control if he appoints a capable superintendent and holds him responsible for the conduct of the business than he would be if he undertook himself to choose all the subordinate agents and workmen and superintend both them and the superintendent; and the business is also better conducted,—incomparably better conducted. What the voters of the country are now attempting is not only impossible, but also undesirable if we desire good government. Such a charter as that of the city of New York, for example, is a mere system of obscurity and of inefficiency. It disperses responsibility, multiplies elective offices beyond all reason or necessity, and makes both of the government itself and of its control by the voters a game of hide-and-seek in a labyrinth. Nothing could have been devised better suited to the uses of the professional politician, nothing susceptible of being more perfectly articulated with the nominating machine. As a means of popular government, it is not worth the pother and expense of an election.

Simplicity is necessary in government as in business, for unity, for responsibility, for efficiency, and for control: these four are, indeed, as a matter of experience, almost interchangeable and equivalent words. You cannot form or execute a judgment either

in business or in politics without some such system of coherence and simplicity.

Simplicity does not involve, in the case of government, a return to any of the abuses we have partially corrected. We did begin at the wrong end when we devoted the ardor and labor of years of reform to the mere reform of the existing civil service, to the introduction of a system of qualification for appointment to office by examination. We should have begun by making more offices appointive and the business of appointing so conspicuous and responsible a thing that those who undertook it could not afford to make appointments upon any principle of favoritism, could not afford to serve their own private objects in making them or any private interest whatever. But responsible officers need not object, will not object, to being themselves protected and assisted by a system of qualifying examinations for appointment. They should and probably would prefer it. It is a sensible and serviceable system and secures the public service against many a minor abuse which might creep in even if those who made appointments made them with full responsibility to public opinion,—in the fierce, revealing light that beats upon every act of personal power. The instrumentalities we have already created would prove more serviceable than ever.

It is a very interesting and very vital thing to have come back to our original problem, to be obliged thus to become once more thoughtful partisans of genuine democracy. The issue is nothing less. What we need is a radical reform of our electoral system, and the proper reform will be a return to democracy. It is the high duty of every lover of political liberty to become a partisan of such a reform if once he becomes convinced of it. Another great age of American politics will have dawned when men seek once more the means to establish the rights of the people and forget parties and private interests to serve a nation.

WOODROW WILSON.

THE MULTIFARIOUS AUSTRALIAN BALLOT.

BY PHILIP LORING ALLEN.

A STANDARD political reference-book is authority for the statement that forty-two of the forty-six States of the American Union use the "Australian ballot" in their elections. If this is true, then the election machinery of Australia would seem to be quite as varied and remarkable as the flora and fauna of that continent. As a matter of fact, the expression "Australian ballot" is used here in two senses. In a restricted sense it is applied to the particular form which America borrowed from Australia and which the State of Massachusetts led the way in adopting in 1889. But it is also used to designate any secret ballot printed and furnished by the State. In this broader significance it is applied to forms which have scarcely another single characteristic in common.

The plan of voting which was abolished in all but a few of the States during the ballot-reform movement of the early nineties was substantially that which most clubs and associations use for electing officers and corporations in choosing directors. A ballot was simply a piece of paper bearing the names of the persons voted for and the various offices to be filled. Anybody could print such ballots and persuade as many voters as he could to cast his particular kind, though as a matter of course the party organizations prepared the vast majority of those voted. Three Southern States have never abandoned the old system and still allow the casting of unofficial ballots which may be "written or printed or partly written and partly printed." The average Georgian or South-Carolinian deposited in November of 1906 a ballot prepared for him by the local representative of the Democratic party, exactly as he may have cast in one of the New York insurance company elections a ballot prepared for him by

the International Policy-holders' Committee or his own insurance agent.

The fact that most American voters were accustomed to voting a whole party ticket at a single operation explains how the true Australian ballot came to be modified in this country. The ballot reformers proposed a method by which a thick and thin Republican, for example, should on election day vote first for a Republican Governor, then for a Republican Lieutenant-Governor, then for a Republican Secretary of State, and so on, until he finished his ballot by voting for a Republican poundmaster. It was very plausible for the politicians in communities accustomed to the "vest-pocket ballot" to say: "No; we like your plans for a secret vote. We like your plans for purifying the polls and for insuring a fair count. But we do not like your idea of scattering the nominees of a party all over a blanket sheet. We will adopt your safeguards and we will make the ballot official, but we will follow the form of our old familiar party slips, simply arranging them side by side on a blanket sheet like yours."

In John Fiske's "Civil Government," published in 1892, facsimiles were printed of the new Massachusetts ballot and the adaptation of it as used in Kansas. The former placed the candidates for each office within a "box" or wide printed border by themselves, arranged in alphabetical order, each followed by the name of the party nominating and a space in which the voter was to make his "X" mark. The Kansas ballot, on the other hand, assembled the names of each party's nominees, from the highest down, in a column headed by the party name in large letters. In all other respects the ballots were on an exact parity. No method was provided for voting all the names in one of these party columns *en bloc*. Just as in Massachusetts, the elector had to make his mark for every candidate of his choice, whether these were all in the same column or selected from several columns. The difference was then in typography rather than in principle.

The real divergence came when the party column ballot was again modified by the addition of a circle or square at the head of each column by means of which a "straight ticket" could be voted at a single operation. The emblems which in many States have also been placed at the head of the party columns, though often criticised, serve a perfectly legitimate purpose as a guide to the illiterate.

Thus originated the two chief forms of ballots used in this country. They are illustrated in Figs. 1 and 2,* which are not facsimiles of the styles used in any States, but embody the characteristic features. The first makes no concession to the party beyond designating the organization which placed each candidate in nomination. The smallest of minor parties, by nominating a candidate named Abarbanell, gets his name in the most conspicuous place. The district leader and the Good Government Club member who wants, possibly, a Republican President, a Democratic Governor, an Independent District Attorney and a

* FIGURE 1.

GOVERNOR.	Mark One.
Charles T. Apgar.....Prohibition	
Samuel E. Briggs.....Socialist	
Arthur Fuller .....Democratic	
Henry Zabriskie.....Republican	

LIEUTENANT-GOVERNOR.	Mark One.
Howard Arnold.....Republican	
Clarence P. Snyder.....Socialist	
George Van Derzee.....Prohibition	
John W. Young.....Democratic	

The Massachusetts-Australian ballot. All candidates on an absolute equality.

FIGURE 2.

REPUBLICAN. O		DEMOCRATIC. O	
	Governor, Henry Zabriskie.		Governor, Arthur Fuller.
	Lieutenant-Governor, Howard Arnold.		Lieutenant-Governor, John W. Young.
	Secretary of State, Edward Marshall.		Secretary of State, Steven Byrne.
	State Treasurer, S. Frederick Crocker.		State Treasurer, Timothy Gregg.

Essential features of party-column ballot as used in nearly half of the States, including New York.

Prohibition Sheriff are put to precisely the same amount of time and trouble in voting. The second form (Fig. 2) is frankly partisan. "Most men are adherents of some party," say the advocates of this ballot, "and their right to vote as they wish with the least possible trouble is paramount." This style of ballot always puts the man who goes outside a single party column at a disadvantage. How much of a disadvantage depends upon the rule for marking. To illustrate, in New York City four years ago Mr. Jerome, an Independent candidate for District Attorney whose name stood by itself in the last column of the ballot, was seeking votes among the adherents of all three of the important city tickets. His supporters claimed that a mark in any one of the straight-ticket circles and an additional mark opposite Mr. Jerome's name was a legal vote for him and also for all the candidates in the chosen party column except the nominee for District Attorney. Tammany contended, however, up to the eve of election, that the only legal way of splitting a ticket was to mark every favored candidate separately. If the Jerome nominators were correct, and the party circle was for the use of split-ticket as well as straight-ticket voters, then two marks would be enough to vote for Jerome and one of the party tickets. If Tammany was right—and the rule for which it contended prevails in several States—then the same vote would require the marking of sixteen names. By no construction of the law, however, could a Jerome voter be put on an exact equality with the strict partisan.

These are the differences between the "reform" ballot and the avowedly partisan sort. There exists, however, a third class of ballots which are neither one thing nor the other, and these are in some respects the most interesting of all. Wherever there has been popular confusion between the essentials and the non-essentials of ballot reform, politicians have taken advantage of that confusion to pass laws granting the shadow and not the substance. They want to discourage straying from the party fold. Consequently, they want to continue the premium on perfect regularity. It may be that civic organizations are demanding the adoption of a non-partisan ballot. "What is it you want?" ask the politicians. Suppose the reformers answer as follows: "Abolish the party column. Abolish the party emblem. Place all candidates' names under the various offices. Arrange them in

alphabetical order. Nothing less will satisfy us." Every one of these things may be granted without really conceding anything of value to the Independents if only a few modifications in the interest of "convenience" may be made at the same time. Pennsylvania and Colorado afford excellent examples of ballots made in this way. Pennsylvania uses the Massachusetts ballot, the "pure Australian type," with only the addition of a set of party squares at one side of the sheet. This does not look in the least like the New York ballot, yet the straight-ticket voter is favored in just the same way by being relieved entirely of the necessity for scrutinizing and marking separately his various candidates. In Colorado (Fig. 3)* the same result has been secured in an even more original fashion. This State also has what looks

* FIGURE 3.

To vote a straight party ticket, write within the blank space immediately here—under the name of the party you wish to vote for.

I hereby vote a straight————————ticket except where I have marked opposite the name of some other candidate.

If you have voted a straight ticket above and place a cross mark (X) opposite any name below, such cross mark (X) will be counted for that candidate and the vote cast for the candidate on the straight ticket for the same office will not be counted, etc.

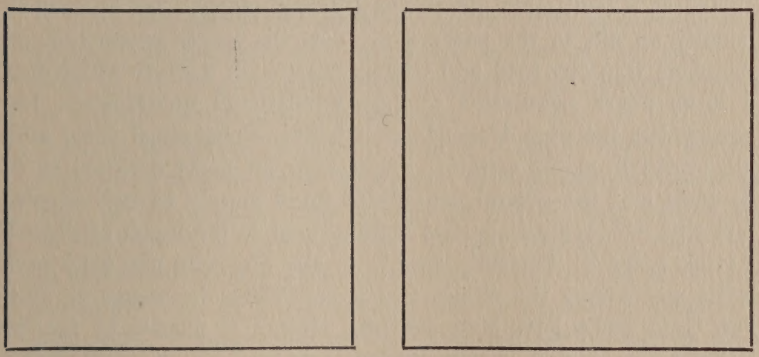
FOR GOVERNOR.		Vote for One.
Charles T. Apgar.	Prohibition.	
Samuel E. Briggs.	Socialist.	
Arthur Fuller.	Democrat.	
Henry Zabriskie.	Republican.	
FOR LIEUTENANT-GOVERNOR.		**Vote for One.**
Howard Arnold.	Republican.	
Clarence P. Snyder.	Socialist.	
George Van Derzee.	Prohibition.	
John W. Young.	Democrat.	

The Colorado plan. In the election contest of 1904 experts testified that they could identify individual "secret" ballots by the handwriting in which the party name was inserted.

like a model ballot, but it is robbed of its virtue by the printed line at the top which makes the voter declare: "I hereby vote a straight ———————— ticket, except where I have marked opposite the name of some other candidate."

It has thus been easy to devise official ballots which, with the general appearance of the pure Australian form, possess none of its advantages. But this has not been the only opportunity of the ballot-tinkers. They can also turn out a party column ballot which does not possess even the good qualities of that openly partisan instrument. In all the forms thus far mentioned the voter has the privilege, under some regulations, of voting for any candidate named on the ballot by simply making a mark opposite that candidate's name. Even this privilege can be taken away, however. The Maine ballot (Fig. 4)* illustrates how it may be done. It will be noticed that, while there is a huge party square at the head of each column, there are no small marking-

* FIGURE 4.



REPUBLICAN.	DEMOCRAT.
For Governor, Henry Zabriskie of Rockland.	For Governor, Arthur Fuller of Saco.
For Representative to Congress, Levi G. Hinds of Kennebunkport.	For Representative to Congress, Peter A. Ferguson of Berwick.
For Clerk of Courts, Nathaniel Hart of Eliot.	For Clerk of Courts, William Perkins of Skowhegan.
For Sheriff, Robert C. Freeman of Eastport.	For Sheriff, T. Jefferson Stokes of Dill.

A party column ballot which makes it as troublesome to split a ticket as if the names of alternative candidates were not on the sheet at all.

spaces opposite the individual names. This is because the Maine law permits no skipping from one column to another. The voter designates whichever column he pleases, but all his voting must be done in that column. The name of Stokes may be next to that of Freeman, but if the man who has marked in the Republican square wants a Democrat for Sheriff, he must erase Freeman's name and insert Stokes's just as if it were not on the ballot at all. In spite of the use of the blanket sheet, the process of ticket-splitting is here exactly the same as in the States like Missouri, where there is a separate official slip for each party, and the voter, having chosen one slip, must alter it, if he prefers some candidate of another party, by "pasters" or the writing in of the name.

From ballots designed to make difficult the voting of any but a straight party ticket, it is a natural step to ballots designed to make difficult the voting of any but one particular party ticket. In this direction also American ingenuity has done much with the primitive Australian form. The party emblem has been mentioned as a legitimate aid to the illiterate voter. Its absence is equally an aid to the party which has the larger proportion of members who can read and write. Maryland, a State which has a large negro population and no educational qualification for voting, has the pure Massachusetts ballot, alphabetical order and all, except in eleven counties, where even the party designation is dropped and the several candidates stand simply as individuals. Yet this outwardly impartial arrangement is the much execrated "trick ballot." Perfectly simple to any one who can read and write and knows the names of the candidates he means to vote for, these styles have been regarded simply as puzzles by the illiterate negroes and as subjects for party trickery by many of the politicians. In 1904 nearly four thousand Republicans mistook the square opposite the name of their first Presidential elector for the square which voted all eight *en bloc*, and on this account forfeited the other seven Presidential votes to the party really in the minority. All manner of stories are told of the devices resorted to under this perverted ballot law. The names of candidates have been shuffled without warning so that the ignorant voter could not be told to vote according to their position. Names have been printed in old English and other unusual type. The "Repudiation" party was extemporized and put candidates in nomination in order to bewilder negroes who had been laboriously

taught to recognize the word "Republican." One Maryland Congressman is said to have established schools in which negro voters were taught to recognize his Christian name "Sydney" by the two "ox yokes,"—the Y's—and just as he had succeeded another "Sydney" was nominated against him by petition so there would still be confusion.

The favorite plan for making one party vote sure and mixing up all the others is simply to eliminate all emblems and designations and then place the chosen party's nominees in every instance first. It then requires neither intelligence, literacy nor care to vote that ticket. All three are needed to vote any of the others. As an extreme example, the official ballot used in Florida at the last Presidential election (Fig. 5)* may be cited. There were five Presidential electors then to be chosen and four parties made nominations. The names were printed in small type, one below the other, with no mark whatever to indicate where one party's group ended and the next began. It was easy for a Democrat to put crosses opposite the first five, but the Populist had to begin with number eleven and check to number fifteen, inclusive. Nearly half the Populists and Socialists in Florida and about one-fifth of the Republicans failed to mark their electors correctly as a result of this blind arrangement.

Given the complete election returns of ten or twenty or thirty States, it would be perfectly possible, without any previous knowledge of the several laws, to separate those using non-partisan ballots from those using partisan ballots. The latter would show in almost all cases a uniformity which is the delight of the party manager. The total vote for one office is almost the same as the total vote for every other office. Add together the figures for all the Republican candidates for the Assembly and you have very nearly the Republican vote for Governor. Only some very strong motive will produce any wide discrepancy between the pluralities of candidates on the same ticket. In States of the other class all manner of fluctuations will be found, irregularities that correspond exactly to the variations of popular feeling and interest. A popular candidate with a good record will run, as a rule, considerably farther ahead of an unpopular colleague with a bad record than he will in the States using the party circle. Not so many electors will vote on the unimportant offices as on the important.

It is in such a comparison that the real affinities of the "compromise" ballots here described betray themselves. A ballot of the party column style, but without the party circles, such as Kansas abandoned but Montana has still, affects the returns in just the same way as that of Massachusetts. On the other hand, when an "alphabetical" ballot has had party circles added, the statement of vote will present just the same parallelisms and equalities which indicate the workings of the familiar party column type.

There are several State Legislatures in which ballot reform is a prominent issue. In every one there will doubtless be a proposal to adopt the pure Australian ballot. Then will arise some one to say: "Give us perfect equality between the independent voter and the party man by all means, but do it by making it easier to vote a split ticket, not harder to vote a straight one." As a piece of practical advice this familiar counsel is altogether meaningless. If Mr. A wants to vote for a single candidate outside his own party, he cannot, under any conceivable ballot law, express his purpose with less than two marks, and so long as he must make two marks he is not on an equality with Mr. B, who can vote his ticket with one. If only the absolute and not the relative convenience of voting is to be considered, it may be admitted at once that the party column ballot which Governor Hughes advised the Legislature of New York to abolish makes it as easy to split a ticket as any form that can be devised. The only trouble is that it makes straight ticket voting still easier. If equality between them is worth securing, it can be practically secured by taking away the straight ticket circles, whether the ballot that is left has the group by offices or the party column, emblems or no emblems.

* FIGURE 5.

OFFICIAL BALLOT.

General Election Nov. 8th, A.D. 1904.
Precinct No. 12, Leon County, Florida.
Make a cross mark (X) before the
name of the candidate of your choice.

For Representative in Congress 3d Congressional District.

Vote for One.

William B. Lamar.

Geo. R. Smith.

Lambert M. Ware.

PRESIDENTIAL ELECTORS.

Vote for Five.

H. P. Bailey.

J. E. Grady.

T. A. Jennings.

A. B. Newton.

F. B. Stoneman.

C. F. Buffman.

A. E. Dole.

Daniel L. McKinnon.

Thomas R. Moore.

Geo. K. Robinson.

Alonzo P. Baskin.

J. S. Whitney.

E. D. Baker.

Geo. W. Holmes.

G. A. W. Wendell.

A. V. Putman.

M. F. Zeller.

William R. Shields.

A. M. Cushman.

John M. Stanley.

FOR GOVERNOR STATE OF FLORIDA.

Vote for One.

Napoleon B. Broward.

W. R. Healey.

M. B. Macfarlane.

Part of Florida ballot in 1904, when nearly half of the Populist and Socialist voters failed to mark their Presidential electors correctly.

PHILIP LORING ALLEN.

THE EARLIER PLAYS OF BEAUMONT AND FLETCHER.

BY A. C. SWINBURNE.

For any man born only a little lesser than the greatest, a little lower than the angels or the gods of song, it is the heaviest and most enduring of all conceivable misfortunes to have been rated for a time among them if not above them. That a Jephson or a Tate, a Cibber or an Ibsen, should for a moment be compared or preferred to Shakespeare by any howling dervish or laughing jackass of letters is a matter of no moment: that men of genius should ever have been thrust forward as claimants for so ridiculous a promotion is only too certain to impair or to imperil, it may be for only too many generations, the recognition of their genuine claims to honor. That typical Oxonicule, the Rev. William Cartwright, "the most florid and seraphical preacher in the university," not only damned himself to everlasting fame, but did what in him lay to damn the reputation of Fletcher by assuring his departed spirit that "Shakespeare to thee was dull," obscene, inartistic and scurrilous: dull as compared to the author of "The Nice Valour," obscene as compared to the author of "The Custom of the Country," inartistic as compared to the author of "The Sea Voyage" and scurrilous as compared to the author of "The Scornful Lady." The criticism is worthy of Matthew Arnold: and even he could not have surpassed it in perversity of cultivated impertinence and audacity of self-erratic conceit. But time has always done justice, when time was needed to do justice, on the academic aberrations of complacent incompetence and overweening culture. It is of far more importance that justice should be done to the victims of their admiration. To be dispraised is nothing: to be mispraised may be dangerous. Justice has never been done to Beaumont and Fletcher since the days in which their

work was set up against Shakespeare's. It is time to consider so rich and various a treasure as they have bequeathed us without consideration or recollection of the fact that their garnets were once preferred to Shakespeare's rubies, their pearls to his diamonds. No other dramatic treasury can boast of so magnificent a display in quantity, in quality and in variety of jewels.

It must be allowed that no expert in gems would have given much for the first sample of their workshop. The generous and cordial friendship of Ben Jonson could hardly have applauded so crude and juvenile a study in his school of comedy as "The Woman-Hater." It is readable, absurd and amusing: I cannot think that much more can be said for it. The rather dreary and mouldy Spanish tradition of jocularity on the subject of hunger and gluttony revives here in a final renascence of farcical effect which may charitably be found not altogether unworthy of a tolerant rather than of a sympathetic smile: but the protagonist is a mere monomaniac, and the heroine is too eccentric to pass muster except as a type of the very newest and oldest of new women whom we may meet in the pages of Aristophanes or the columns of the "Times."

In the tragedy of "Thierry and Theodoret" a new touch is felt—a new voice is audible. There is here no trace of Jonson's influence; nor is there any sign of Shakespeare's except in so far as we may say that all subsequent good work in tragedy must inevitably bear witness to the effect of Marlowe's example and of his. For this is good work, as well as new: the impetuous and continuous rush of the fluent and fervent verse is only the outward and visible sign of the inward and spiritual ardor, headlong and heedless of reflection or restraint, which impels the writer's genius along its passionate and breathless course. Even if, as has been plausibly suggested, the staider and less vehement hand of Massinger may here and there be traced, this play is on the whole about the finest and the fullest evidence left us of Fletcher's magnificent but far from supreme power as a tragic poet. The men are nothing: at least, they are but rough and rudely colored sketches. The abnormal wickedness of Brunhalt, the abnormal goodness of Ordella, give all the life and interest to the tragic action that readers can ever find in it or that spectators ever can have found. It is not quite human life: for the interest excited is hardly in human nature. But, such

as it is, the interest is unflaggingly sustained, and the style is as admirable in its impulsive fashion as is the style of Marlowe and Shakespeare and Webster in the nobler and more serious manner appropriate to higher and sincerer inspiration.

Something more of such inspiration is perceptible in Philaster: and yet, leaving Shakespeare out of the question, we find here no figures comparable for creative power and living truth to Faustus and Edward, to Vittoria and Bracciano, the Duchess and her brothers. The boyish or feminine incapacity to draw even in outline, to paint even in monochrome, the likeness of a man, which is here so unmistakably displayed, was evidently no evidence of inferior power, no reason for inferior regard, in the estimate of contemporary admiration. Among all their tragic or serious heroes we may look in vain for the life-like figure of a conceivable and acceptable man. A gallant and roistering humorist they could paint better and more delightfully, with more contagious sympathy and more audacious truth, than even the great Dumas himself; but the finest type of heroic manhood imaginable by either is a knight of Malta; an Origen in armor; a hero who renounces manhood. Philaster is something worse: he is hardly the shadow, the phantom, the wraith of a living man. The she-page Bellario is simply the loveliest and most interesting of all dramatic hermaphrodites from Shakespeare's Viola down to Wycherley's Fidelia: it is curious and significant that Beaumont and Fletcher could never create a man or a woman so attractive as this fantastic and pathetic figure, whose unquestionable and inimitable charm of perfect purity and more than manly womanhood threw so strange a fascination over the stage that it was a less outrageously than pardonably extravagant exaggeration of the truth which Lamb allowed himself in the assertion that "for many years after the date of Philaster's first exhibition on the stage scarce a play can be found without one of these women pages in it." Certainly, as he adds, "our ancestors seem to have been wonderfully delighted with these transformations of sex." But, after all, it must be admitted that the vital and enduring fascination of this beautiful and famous play depends less on character or on incident than on the exquisite and living loveliness of the style—most attractive when least realistic, most memorable when least dramatic.

The authors of "The Maid's Tragedy" succeeded in showing

themselves at all points superior to the authors of "Philaster." Their poetic power is equal in charm and more perfectly adapted or subordinated to the demands of dramatic art, the laws of theatrical evolution or construction. That they could not draw even in outline the figure of a man—that a protagonist of heroic mould, such as Marlowe's Faustus or Webster's Virginius, was not only unpresentable, but inconceivable by the purely passionate and impulsive nature of their tragic genius—this masterpiece would suffice to prove, even without the evidence of their later tragedies. The heroes, or rather the passive and the braggart figures of manhood proposed for our acceptance as the heroes of the play, are not above the rather lamentable level of Philaster. But the sinners are better than their elders; Pharamond and his Megra are little more than the sketches of a hot-blooded and headlong boy if set against the vivid, vigorous outlines of Evadne and her king. Yet, exquisite though it is as a poem, this famous tragedy is the first example of an English play in which all other considerations are subordinate to the imperious demands, the dominant exactions, of stage effect. Evadne is the one thoroughly credible and thoroughly realized figure in the play: a bad woman who might not have made so bad a man. Of the two heroes it can only be further said that Amintor is abject and Melantius absurd: the king is now and then as theatrical in villainy as they in virtue, and Aspatia is not so much a woman as a mouthpiece and a subject for poetry incomparable in its kind. Shakespeare and Webster did not find it necessary and did not feel impelled to make their heroines talk so lyrically and evoke from other and minor figures such effusion of elegiac eloquence. In the earlier scenes she says now and then something that could not have been bettered by Webster or even by Shakespeare: but she never has enough of life and truth in her to stand beside "one of Shakespeare's women"—or of Webster's.

That Fletcher or any of his friends should have thought it probable or possible for "The Faithful Shepherdess" to find favor on the stage is the most wonderful and unimaginable witness we could have to the delight of an English audience in pure and absolute poetry throughout the age of Shakespeare—during the generation that reaches from the sunrise of Marlowe to the sunset of Shirley. That the loveliest of all pastoral plays ever set by fancy in the frame of a fantastic Arcadia should have

evoked by its failure such noble tributes of indignant admiration from contemporary poets is an accident which may well be held worthy of rejoicing and thanksgiving by all who believe that sympathy and gratitude rather than defamation and envy are natural to all men not utterly ignoble and all competitors not utterly incompetent. The difference between this poem and Milton's exquisitely imitative "Comus" is the difference between a rose with a leaf or two faded or falling, but still fragrant and radiant, and the faultless but scentless reproduction of a rose in academic wax for the admiration and imitation of such craftsmen as must confine their ambition to the laurels of a college or the plaudits of a school. The figures who play their parts on the woodland stage of this fairyland theatre are hardly amenable to criticism as actual or possible men and women. The lover whose love is curable by compliance and destructible by the destruction of his idol's ideal inaccessibility would be absurdly misplaced in the world of comedy or tragedy: in the world of fancy, a world made up of poetic artifice and tradition, he is a perfectly appropriate and coherent figure, native to his fantastic element. To the same world the constant Clorin and the wanton Cloe so unmistakably belong that the serious application of an ethical standard to their conduct or their characters is as inept as a poet's objection to the unimaginative realism of mathematics or a mathematician's to the sterile impotence of poetry if applied to the proof of a theorem or the solution of a problem. The most exquisitely appreciative and the most nearly infallible of critics fell surely for once into inconsistent partiality and untenable paradox when he objected to the contrast of the lascivious with the virginal shepherdess on the score that "such weeds by juxtaposition do not set off but kill sweet flowers," and defended the outrageous obscenities of "The Virgin Martyr" on the plea that they "have a strength of contrast, a raciness and a glow in them which set off the religion of the rest, somehow as Caliban serves to show Miranda." Such dunghill weeds as those were never planted or watered by Fletcher.

It is curious from the historic or literary point of view that the first burlesque ever presented on our stage should still be so very much the best. "The Knight of the Burning Pestle" is at least as superior to "The Rehearsal" at all points as the fifth act of "The Chances" substituted by the author of "The Re-

hearsal" for Fletcher's original fifth act is superior in dramatic force, character and humor to that hasty and headlong scrawl of a sketch. The seemingly incongruous interfusion of serious and sometimes noble poetry might have been expected to destroy the broad comic effect of parody and raillery which it actually heightens. The good old city poet whose cockney heroics it made no unkindly fun of, and whose homely power of pathetic realism was a quality altogether beyond the reach of Beaumont or of Fletcher, might have smiled without wincing at so good-humored and hurtless a caricature of his counter-jumping paladins.

In theatrical magnificence of incident and effect "A King and No King" is as supreme a triumph as is "Othello" or "King Lear" in poetic sublimity and spiritual intensity of truth made manifest and awful in beauty as in terror to all ages of mankind. To say that there is nothing more in it would be shamefully and stupidly false: there is much beautiful writing and much brilliant vivacity of charm. But all serious study of character, all rational or moral evolution of conduct, is wantonly if not shamelessly sacrificed to the immediate effect of vehement if not sometimes galvanic sensation or surprise. The outrages on human possibility in the parts of Gobrias and Arane, the magnanimous murderess in design and the virtuous promoter of a supposedly incestuous passion, would have been impossible to any other poet and even to any other playwright of genius in any way comparable either with Beaumont or with Fletcher. That any soldier king was ever such a blatant braggart and swaggering swashbuckler as Arbaces might surely have been questioned, as now perhaps it may not be, in the days of the poets who decked out his crazy and feather-headed vanity with the splendid plumage of rhetorical rhapsody which, as Macaulay long since observed, so singularly anticipates the discoveries of modern mechanism.

The peculiar boyishness which distinguishes alike the tragic and the comic genius of Beaumont and Fletcher, but more especially the tragic work of Fletcher and the comic work of Beaumont, displays itself most amusingly in the once-famous parts of the three beaten braggarts which in their day were classed with the incomparable figure of Bobadil. The far from subtle or exquisite humor of kicking and cudgelling may have been caught from the example of their illustrious friend and occasional model, Ben

Jonson: but the lightness of touch, the buoyancy of burlesque, must be allowed to give it a tone of contagious pleasantry which the heavier hand of the more serious artist has not given and perhaps did not care to give. The veriest horse-play of farce in the broadest scenes of Beaumont and Fletcher has more of good-humor and harmless or, anyhow, spiteless merriment than is to be looked for in the elaborate and deliberate brutality of such an unsavory masterpiece as "The Silent Woman."

The eccentric tragedy of "Cupid's Revenge" has always been a butt for the shafts of sarcasm rather than criticism. It is certainly somewhat grotesque and amorphous if not abnormal; we cannot be surprised that both Campbell and Dyce should have dismissed it with a bitter word of scorn. But a far greater than they or than any other critic of our great dramatic poets has not only embalmed its noblest passages in the deathless amber of a priceless volume, but has selected it for the supreme honor of a condensed rendering into narrative prose after the fashion of his incomparable "Tales from Shakespeare." The rough and ready improvisation which reduces to a far lower level all the huddled and headlong later part of the play is as evidently due to enforced haste or natural weariness of the work in hand as is the inferiority of the latter part of Marlowe's "Jew of Malta" to the magnificent beauty and power of its opening scenes. To imagine in either or in any such case the necessary or the probable intervention or intrusion of a foreign hand and a feebler touch is a facile and uncritical evasion rather than explanation of a problem suggested by the naturally inevitable inequality of the finished parts with the hurried parts of even a great writer's work, when casually compelled to write against time for the stage or for any other pulpit or tribune required for the utterance of whatever he has to say. But no pantomimic absurdity in the opening and no convulsive debility in the closing scenes of the play can efface or should be allowed to affect the impression of the two scenes between Leucippus and his mistress before and after his chivalrous and mendacious affirmation of her virtue has resulted, during his absence at the seat of war, in her marriage with his father: a situation treated with characteristic frankness, but handled with exceptional delicacy. It may be remembered that Mr. Samuel Pepys, on August 17th, 1668, "saw 'Cupid's Revenge,' under the new name of 'Love Despised,' that

hath something very good in it, though I like not the whole body of it." The somewhat eccentric judge who preferred Tuke as a dramatic poet to Shakespeare at his very highest was on this occasion exactly and excellently right. He and Lamb ("Powers eternal! such names mingled!") have alone been just in their expressed or implied judgment of this otherwise unlucky play.

There are some pretty lines thrown away here and there on the not very brilliant masque in celebration of the ill-omened nuptials of Prince Rupert's ill-starred mother; but Beaumont would perhaps have done as well to leave such work to the stronger and more inventive hand of his friend Ben Jonson, whose influence for good and evil, or at least for better and for worse, is evident in Beaumont's part of the "Four Plays in One," which we must regret to remember as the only surviving example of a form of dramatic entertainment to which a horrible as well as terrible little work of relentless and realistic genius never to be unquestioningly rejected from the Shakspearean Apocrypha must pretty certainly be admitted to belong. From what context of companion plays or playlets such an inhuman or at least such a merciless masterpiece of condensed and concentrated horror as "A Yorkshire Tragedy" can have been detached by its publisher or its author, no imaginable student above the lowest level of brainless and frontless duncery will care or will presume to conjecture. In the present unique instance it would not be difficult for the youngest possible reader of average intelligence to distinguish and to determine the parts assignable to Beaumont from the parts assignable to Fletcher. The Jonsonian induction is Beaumont's: he was never worse employed than in imitation of his great friend Ben: *exemplar vitiis imitabile* if ever there was one. No one but a poet born could have written "The Triumph of Honor," though he could only have written it during a transitory eclipse or collapse of his better powers; no one but an imitator of Ben Jonson when least happily inspired could have scribbled the farcical part of it. "The Triumph of Love" should have been a beautiful and pathetic play instead of a beautiful and pathetic sketch: but as it is we must gladly acknowledge that one lovely scene in it has been overpraised neither by Charles Lamb nor by Leigh Hunt. "The Triumph of Death," in which there certainly is no suggestion of loveliness or pathos, is a

superb example of Fletcher's vehement and fervent, though neither gentle nor sublime, genius for passionate and headlong tragedy. "The Triumph of Time" is a survival of the unfittest—a revival of the obsolete morality play, not improved by a dash of the contemporary masque. It is by no means worthless: but its author would probably have been the first to admit that it was not worth very much.

The noble and cordial verses in which Ben Jonson expressed the fervor of his love for a younger friend who had shown such religious devotion towards him should be borne in mind by the reader who cannot but think that the "religion" so affectionately acknowledged and so generously requited did not bring forth any very sweet or savory fruit in the rather too Jonsonian comedy of "The Scornful Lady." In all the curious and interesting history of opinion—of moral and intellectual change and progress and reaction—there is nothing more singular than the variations of view among intelligent and honorable men as to decency and indecency, morality and immorality. It must surely be now incomprehensible to any student of letters or of ethics that so unquestionably good and true a man as Dr. Johnson should have denounced the noble and natural story of "Tom Jones" as a "corrupt" book, and agreed with the clergy of his day in commending to decent readers the infamous and abominable story of "Pamela." If the one is sometimes blunt, the other is always vile. "The Scornful Lady" is, of course, not so ignoble and impure an abortion of immorality as Richardson's shamelessly shameful book; and in a rough way it is a vigorous and memorable example of the very broadest comedy: but alike in matter and in manner, in language and in character, it is undeniably the coarsest work of its authors. And yet it was so long held comparatively blameless that this particular discredit has generally been transferred to a far less offensive work of more graceful if still somewhat graceless audacity in treatment and in humor. Even Wycherley, if at his worst more basely and brutally immoral, was hardly more impudent in theatrical invention or device of daringly and undeniably comic effect.

The strange and straggling tragi-comedy of "The Coxcomb" is as unadvisedly and as singularly misnamed from the idiotic protagonist of the uninterestingly extravagant underplot as is a far more memorable example of dramatic poetry, the master-

piece at once of Middleton and of Rowley which was somehow most absurdly misbaptized as "The Changeling." In the gentle and devoted heroine of the more serious part there is a touch of simplicity and sweetness, in devotion and submission, of daring and of patience, which distinguishes her as a daughter of Beaumont's genius from the more vehement and voluble children of Fletcher's. Another play which is no less obviously a compound work, not less interesting and not less insufficient to satisfy a serious and grateful admirer of their sometimes rather idle and irregular genius, is "The Honest Man's Fortune." The hero is a nobler and manlier type of manhood than any of Fletcher's when left to work by himself; but the movement and ease and spontaneity of the action in all but his very worst and hastiest and most puerile plays, if not even in those rather pitiful puerilities of invention and execution, will hardly be found in this more serious and ambitious poem. The two heroines are admirably sketched rather than admirably painted: but the simplicity and nobility of nature apparent and consistent in them both would be not less hard to find in the more theatrical and conventional heroines of Fletcher's later plays. There are noble passages and magnificent couplets in the little poem appended to this play: it would be difficult if not impossible to match them for moral dignity and for majesty of expression in any other work of Fletcher's: but few readers will probably agree with Leigh Hunt that they suffice to corroborate or to justify the expressed regret of Coleridge that Beaumont and Fletcher had not devoted their genius and their time to writing poems rather than to writing plays.

The ingrained and ineradicable juvenility of mind which distinguishes them from all other men of true and splendid genius is or should be at once apologetically and amusingly patent if not obvious to the readers of that admirably written comedy so childishly misnamed "The Captain": misnamed from a Jonsonian figure of farce who is once happily humanized by generous sympathy and pity for the supposed sufferings of an elder soldier. The monstrous and abnormal criminality of the almost incredible heroine is more like the impudent fancy of a naughty boy than the corrupt imagination of a depraved man. But so bright and lively a piece of work would in common scholastic justice be set down so decidedly to the youngster's credit as to be deservedly

set against the discredit if not the disgrace due to the juvenile audacity of his immature imagination. And the first scene of cajolery in which the woman's magnificent art of passionate hypocrisy is brought to bear upon a half-conscious and half-reluctant victim, a would-be dupe who cannot dupe himself, is finer than anything I know of the kind in prose or poetry before the advent of Balzac's almighty and ever-living Valérie. Madame Marneffe is as matchless as Madame de Merteuil: but the patrician or the plebeian she-devil of immortal fiction might have given a smile of sympathy if not a hand of sisterhood to the hardly less terrible harlot of an English poet's invention.

In the magnificent melodrama or tragi-comedy of "The Little French Lawyer," it would be impossible to overpraise the brilliancy of invention, the deftness of composition or the splendor of execution: but the brutality of boyhood is as evident as its joyfulness. From any other hand the ruffianly insolence which derides the infirmity of a veteran hero in the public street would be unendurable and unpardonable; but here the merciless infidelity of the bride who has played false to her earlier and younger lover makes it intelligible if inexcusable. And here the incomparable and inimitable lightness of touch which impairs the tragic work and glorifies the comic work of Fletcher must be allowed by all intelligent or æsthetic judges to redeem the offence which would else be given to the moral or ethical critic of the superb result or outcome of his weakness and his strength—his inevitable limitations and his magnificent capacities. The juvenile horse-play of practical jokes which animates at once the serious comedy and the rampant farce of this dazzling and delightful poem, a poem in which no alloy of grave or of humorous prose can anywhere be found latent or apparent, contrives in some inexplicable if not inexcusable but bewitching if not irresistible fashion to succeed somehow in fusing them together with such instinctive alchemy of inspiration as to yield by way of product or result a deathless if not blameless masterpiece of comic poetry.

It is impossible to imagine that the author of this most brilliant and buoyant and high-spirited piece of work can have had anything to do, or that his even more glorious friend and compeer can have had anything to do, with one of the dullest and feeblest plays surviving—another survival of the unfittest—from the

marvellous and matchless harvest of their time. The Apocrypha of the Scripture bequeathed to us by Beaumont and Fletcher may be more easily and more decisively tested and gauged and disposed of than the Apocrypha of Shakespeare's. That the bright and pleasant comedy of "The Widow" is Middleton's work alone will hardly be questioned by any reader whose time would not be better spent on even the most futile of employments or diversions than in the study of poetic or comic drama: and the most conscientious examination will only find in "The Faithful Friends" a passage or a verse here and there which may charitably be thought not quite bad enough for an old Sharpham or a new Shakespeare. It is perhaps not so utterly worthless and hopeless a failure as "Cupid's Whirligig" or "Thomas Lord Cromwell." But it is sad stuff.

The riotous and outrageous farce of "Wit at Several Weapons" is such a play as might conceivably have been written in his nonage by a bastard son of Ben Jonson who had inherited more of the worse than of the better qualities, intellectual and moral, of his illustrious father. Even Ben, whose indignant humor so often concerned itself with crime, would hardly have introduced at the very opening of the action as a figure of pure comedy a veteran in villainy who boasts to his own son of his early successes as a professional pimp, and his later gains by the robbery and ruin of little children confided to his guardianship. This is the most seriously and odiously revolting passage in all the various and voluminous work of these great dramatic poets—or of any that I can remember among their fellows. And this comes of taking life and character too lightly and too stagily. The play is throughout a very slight and rather childish piece of work, with some touches in it of fun rather than of humor—unless there be humor in a schoolboy's pillow-fight. But the intended fun of the opening could only seem funny to an exceptionally ill-conditioned schoolboy. It is only fair to add that some of the heroine's tricks and shifts to rid herself of an idiot suitor and attract a hesitating lover are really not unworthy to remind the reader of Molière in his broader and rougher mood of practical pleasantry.

The genius of Beaumont and Fletcher for pure comedy was at its nadir in "Wit at Several Weapons": in "Wit Without Money" it rises easily and visibly to its radiant zenith. The

matchless instinct of expression, the incomparable lightness of touch, which distinguishes its best work from all other triumphs of poetic comedy in the language, carries off and sweeps away all too curious or serious consideration of character or conduct. But, indeed, if the protagonist is a somewhat too extravagant figure of humorous extravagance when he joyously makes away with his brother's fortune as well as his own, the younger brother is so noble a fellow when he refuses to resent his ruin, or to forget the finer qualities of his reckless and rapacious elder, that this single figure should suffice to confute all charges ever brought against his creator or his twin creators on the score of immoral incompetence to conceive or to present a morally attractive and admirable young English hero. Even Shakespeare—to say nothing of Jonson, who in this race is quite out of the running—can show no other to be set beside him.*

The curious laxity with which educated and able men will fling about epithets when engaged in critical comment is rather singularly exemplified in the terms applied by Dyce as well as by Hallam to so magnificent a work of comic and tragic genius as "The Custom of the Country." Dryden's previous attack on it as compared with his own dirty and greasy comedies and those of his brighter but not less unsavory rivals may be dismissed with a brief expression of regret that so great a writer should have shown himself so small a critic—so stupidly shameless in misjudgment alike from the moral or ethical and from the intelligent or æsthetic point of view. "The very grossest" (as Mr. Dyce unhappily miscalls it) of all these plays is beyond all question "The Scornful Lady." "The Custom of the Country" is certainly almost as audacious a comic poem as is even the alarmingly fearless and morally rather than immorally impudent "Lysistrata": but coarse or obscene it is not. There is not a dirty word in it: not a touch, not a whiff, of Swiftian or Carlylesque impurity.

When some forgotten fool observed to Byron that Italian was an easy language, the supreme and final and unapproachable master of serio-comic poetry replied with unusual good sense

* Why Frank should be sometimes called Francisco is as insoluble a mystery as why the word "else," a word as necessary to the sense as to the metre, should have been persistently omitted by all editors in the penultimate scene of this comedy. "Do not allure me," says Valentine when secure of his bride. "Thou art no widow of this world (else)!" Without this obvious little word the line is immetrical nonsense.

and accuracy: "A very easy language to know badly; a very difficult language to know well." It would be no less easy to pass judgment on Fletcher as a tragic poet in a sweeping and summary fashion: it is certainly no less difficult to adjust the due balance of praise and blame, whether positive or comparative, which must determine the verdict to be passed on the admirable, though anything but impeccable, author of such tragedies as "Bonduca," "Valentinian" and "The Double Marriage." Brilliant even to splendor, ardent even to satiety, they most indisputably are. That their somewhat hectic and feverish glory cannot endure a moment's comparison with the sunlight or the starlight of Shakespeare's, of Marlowe's and of Webster's is anything but a reproach to a poet whose fame, if eclipsed, is not and can never be effaced by theirs.

The dazzling tragedy of "Bonduca" is half lit up by the flame of the footlights and half by the radiance of a magnificent if uncertain day. That it wanes and withers into the dusk of an autumnal sunset before the deathless dawn of Tennyson's almost Æschylean "Boadicea" can only be acknowledged as inevitable. That more than one or two of his contemporaries might have made out of the subject a far more perfect and a far sublimer poem is as certain as that none of them could have turned it to such triumphant account from the not ignobly theatrical point of view. But the reader of Fletcher's tragedies can never quite get away from the besetting sense of the theatre. In this, instance the incongruous and excessive admixture or immixture of broad and not always brilliant comedy deforms and degrades the tragic beauty of the nobler scenes. The death scene is splendid and memorable: but while reading it we must not remember such another and more magnificent example of poetic tribute to the sacred and heroic virtue of suicide in face of shame as Marston had set in the immolation of his Sophonisba. The best by far of Fletcher's martial heroes is Caratach: and his nephew is a much finer and more natural youngster than Shakespeare's far less life-like and lovable Arthur in "King John": who would have made us reasonably doubt whether the omnipotent hand of his creator could have created a living little boy if it had not left us at a later date the incomparable and unapproachable and adorable figure of Mamillius.

A. C. SWINBURNE.

DEMOCRATIC FACTIONS AND INSURGENT REPUBLICANS.

BY HERBERT CROLY.

THE comparative strength, the respective principles and policies and the probable future of the two dominant American parties have recently become more than ever deserving of close scrutiny by students of contemporary politics. The new economic and political conditions, which have been intruding themselves on public attention, and the new political issues, which have been derived therefrom, are bringing with them not only changes in the trend of national policy, but changes in the standing and the outlook of the two parties which in the American political system are responsible for the formulation and execution of a national policy. Neither of these parties occupies the same situation that it did a dozen or even eight years ago; and inasmuch as their new standing promises to have very important effects upon the political future of the country, it were well to understand just what the change amounts to and what its probable consequences will be.

The advantages of a comparison of the two parties as to their respective strength are to all appearances wholly in favor of the Republican. Since it won its first Presidential election in 1860, it has failed only twice to place its candidate for President in the Executive chair. Forty-four years, that is, out of a possible fifty-two, it has controlled the executive branch of the general government, and during almost as large a proportion of the same period it has elected a majority to one or both Houses of Congress. What is the cause and meaning of this almost uninterrupted and increasing preponderance? Is there any reason for believing that it will or will not endure?

The recent ineptitude of Democratic leadership and the failure

of Democratic political tactics must be traced to a fundamental source; and that source is, I believe, nothing else than the inadequacy of the traditional Democratic creed to the solution of contemporary political and economic problems. The social and economic changes which have gradually been accumulating since 1870 demand political and economic measures which the Democratic party cannot undertake without proving faithless to a part of its traditions; and as its leaders are necessarily and sincerely seeking to find a basis for its policy in its inherited principles, their political platforms are continually vacillating between the two horns of a dilemma. Either they propose to take certain positive action, which is from the point of view of their traditional creed unprincipled, or else they remain content with a negative policy which derives its high political propriety from the antiquity of its lineage. And no matter which alternative they accept, they disgust a certain section of their own party without convincing either the thoughtfully radical or the thoughtfully conservative element in public opinion.

Our contemporary political and economic problems seem to have taken form particularly for the purpose of bringing out the inconsistency resident in the traditional Democratic creed, for that creed is a hodge-podge of radical and conservative ideas and tendencies. The Parker wing of the party has, for instance, no right to claim that they are the true believers and that Mr. Bryan and his followers are heretics. The latter are seeking to accomplish a result which both the Jeffersonian and Jacksonian Democracy cherished as essential to the perpetuity of American political institutions—viz., the abolition of what is believed to be economic privilege; but as partisan Democrats they are embarrassed in formulating effective remedial measures, because, according to another aspect of their political tradition, the desired result should have been accomplished either automatically by free individual competition or at worst by the positive action of the State governments. The conservative Democrats, on the other hand, either shut their eyes to the danger of economic privilege or claim that the danger can still be averted by the enforcement of existing laws; and even the more radical Democrats, in proposing such remedies as a Federal license for corporations engaged in interstate commerce, are paralyzed by the influence of the tradition, which proposes to reach the consummate Demo-

cratic social condition by means of individual aggrandizement, the rigid protection of States rights and national irresponsibility. It obviously makes any centralizing proposal with a bad conscience, and it tends either to qualify its measures into impotence or to claim that because of the purity of its Democratic motives it can apply centralizing remedies without committing the crime of centralization.

Assuming that the existing economic and political situation demands the assumption of certain additional national responsibilities, the Democracy cannot escape from its dilemma. It cannot become a national political party equipped with authoritative leadership and an adequate programme without abandoning the traditional creed, which hitherto has constituted its reason for existence. Every once in a while a group of "pure" Democrats get together, usually somewhere in New York State, and propose to rejuvenate the party and to formulate a platform on which it is sure to regain popular confidence. But the platform always proves to be a statement of traditional principles, which are supposed to be perennial because of their indestructibility, and which are indestructible only because they are continually being repeated. They are perennial, that is, only as words and because of their ability to fill gray beards with the illusions of youth. The best way to fertilize them would be to bury them for a while in the ground and to water them with a little disinterested and concentrated consideration of the real meaning of contemporary political and economic problems.

The Republicans, on the other hand, are better qualified by their partisan traditions to assume leadership during a period of national reorganization and increasing national responsibilities. The statement is frequently made that there is really no fundamental difference of principle and tendency between the two parties, but that is not true. The Republicans are by way of being more national than the Democrats, because Republicanism originated in the determination of certain Northern Whigs and Democrats to save American nationality by denationalizing the undemocratic institution of slavery; and in so doing they assumed a neglected and dangerous but essential national responsibility. The assumption of this responsibility tended to nationalize the party, in spite of the sectional residence and prejudices of its membership; and the party has shown ever since a tendency to

remain national. This tendency has been expressed in a greater willingness to make the general government assume its share of the national responsibilities and in a larger amount of political opportunism—in the French sense of that word. Opportunism in this sense consists in a preoccupation with the national interest and a general readiness to take any action demanded by the national welfare.

Republican political opportunism has, until recently, enabled that party, far better than the Democrats, to adopt new policies without causing any serious internal dissensions. Both the conservatism of Parker and the radicalism of Bryan caused a revolt of the opposing faction, which had its justification in some untimely aspect of the party tradition. The tendency of irresponsible individualist Democracy is factious and distracting. Its adherents are instinctively far more preoccupied with their personal, class and local interests than they are in the interest of the American people, in so far as they can be collectively expressed. This tendency was disguised during the Middle Period, because the great majority of the Jacksonian Democrats were homogeneous in feeling and because their individual interests ran along similar lines; but since the war the Democrats have lost this homogeneity of feeling, interest and point of view. They have become classified; and this classification is separating the well-to-do from the wage-earning Democrat, the Eastern from the Western, the liberal from the conservative and the constitutional from the Jacobin. After such classification has taken place their party traditions do not encourage Democrats to remain together, to submit to discipline or to subordinate individual and local to general interests; and when they do secure a show of unity, it can only be on the basis of some compromise, which is often humiliating to men who believe sincerely in their own ideas. Thus the Bryan, Hearst or Cleveland Democracies, into which the party divides, are real factions, which in the end prefer party failure to success purchased by their own subordination; and any organization which is incapable to this extent of agreeing upon a partisan platform is even more incapable of formulating a national policy sufficiently representative of the contemporary national interest.

Considering the proportion of the popular vote which remains stubbornly Democratic by both interest and conviction, it would

be absurd to predict that the party will never win another election. They may well, in the fall of the present year, elect a majority of the members of the next House of Representatives. Under certain not improbable contingencies they stand a respectable chance of electing the next President. But the assumption of power will only expose their weakness. Responsibility for action will bring out the internal dissensions, which they have not been able to conceal during a period of irresponsible agitation; and even if they are able actually to accomplish any legislation, it cannot be the expression of a genuinely national interest or idea, because ideas of that kind cannot find any sufficient nourishment in the soil of the Democratic party.

That the Democracy may have a better fighting chance of winning an election next fall than it has had for many years is due, not to its own increasing strength, but to an unexpected and most significant weakening of Republican party discipline. For the first time since the factional struggles of the early eighties the Republican party is threatened with serious internal dissensions. A definite group of Republican Insurgents has been formed in both Houses of Congress; and these rebels represent or believe that they represent a much larger proportion of the party vote than is indicated by their numbers. They are fully prepared to carry on the fight during the Congressional elections next fall, even if by so doing they endanger the success of their party.

How is this eruption of internecine warfare to be reconciled with the claims made on behalf of the Republican party as an organization capable of responsible action in the national interest and of enforcing discipline for the benefit of such action? Why is it that the gentleman now occupying the White House, who used to be known as the Secretary of Peace, has, in spite of the most amiable intentions, become a War President? Why has his conciliatory policy served only to tear his party apart, whereas the thunderbolts and lightning which played around the head of his Insurgent predecessor compelled the ostensible if not the entirely cordial submission of his party associates?

The answer to these questions calls for a more careful analysis of the contemporary national interest than has yet been attempted and a comparison of the results of this analysis with the traditional Republican national policy. Since 1865 the dominant aim

of the Government has been the rapid economic development of the country accomplished by means of the most diversified and intense stimulation of individual enterprise. The utmost encouragement was offered to individuals and corporations to appropriate and develop the sources of wealth contained in the national domain. Laws even more liberal than those which prevailed before the war were adopted, and these laws were construed and administered with even greater liberality than they were conceived. The natural resources of the country—its land, minerals and timber—in so far as controlled by the general government, were practically given away to anybody who had the initiative to claim them or the capital to develop them. To balance this encouragement of the extractive industries, the Republicans maintained and developed an extremely high protective tariff, the object of which was the prohibition of competitive imports and the full employment of American capital and labor in every practicable branch of economic activity. By this combination of measures a complete but very artificial and overheated national economic system was built up. The country was enabled to produce a huge surplus of agricultural produce and raw materials which could be exported in order to pay for the enormous quantities of capital and labor whose importation was encouraged; and in order still further to accelerate the process, domestic capitalists were allowed a free hand in organizing the home market. They were permitted to adopt almost any business methods they pleased so long as economic activity was promoted and an apparent condition of "prosperity" was created.

It is characteristic of the impotence of the Democratic party that the effective opposition to the traditional Republican policy has gradually developed within the ranks of the Republican party itself. The first insurgent Republican of prominence was Theodore Roosevelt, and his earliest attack was concentrated upon a portion of the system which was at bottom only incidental to its main purpose. He attacked the position of economic privilege which, as he believed, certain large corporations and capitalists had acquired in the national economic system; and the popularity of his campaign prevented the more "regular" Republicans from effectually opposing it. But the agitation could not rest at that point. Any permanent and dangerous economic privileges enjoyed by individuals or corporations must depend

upon the appropriation of certain natural resources denied to actual or possible competitors; and the fact that such resources had been thoroughly appropriated and the resulting economic opportunities exploited was a preliminary symptom that a more essential aspect of the traditional system was breaking down. The Government could no longer encourage the development of the natural resources of the country, because there were, comparatively speaking, no more natural resources to develop. The chief support of the structure reared by the Republican party suddenly collapsed, not because of any attack, but of its own inherent weakness.

The policy deliberately adopted by the Federal Government, as the trustee of the national domain, of giving away its property could not last. The incessant supplies of virgin soil, primeval timber and new mines, which were forced into competition with the older sources of supply, undoubtedly multiplied and cheapened the product so as to afford a large surplus for exportation, but it also encouraged a lavish waste of the raw materials. The trend of the policy was intimately to associate wasteful methods of production with abundance and cheapness of product and thus to divorce cheapness from economy. The effect of the waste varied in different branches of production: but it was sure at an early date to bring into operation the law of diminishing returns—that is, to threaten an eventual dimunition of supply, to decrease the exportable surplus and to enforce economy by increases in the cost of production and in prices. The evidence of this condition consisted primarily in a constantly higher cost of living, which prevented the wage-earners from enjoying any benefit from their large money wages and which was as burdensome to industry as it was to domestic life.

An inevitable result, consequently, of the movement on behalf of the conservation of American natural resources was an increasing agitation for effective tariff reform. An excessively high protective tariff contributed to the prevailing waste of the American economic system, chiefly because it encouraged the employment of capital and labor in industries which could not be conducted in this country except under peculiar disadvantages. It had gradually become an essential part of a thoroughly national American economic system that some of the capital and labor so employed should be diverted to the more thrifty pro-

duction of the staple commodities. In the long run the additional capital and labor needed for this purpose will have to be obtained at home, because the constantly lessening exportable surpluses of natural produce will prevent the country from deriving it to the same extent as in the past from abroad.

The agitation for tariff reform, which appeared within the Republican party almost coincident with the agitation for conservation, was, consequently, by no means an accident. The bill which was passed in response to this agitation reduced certain duties which were unnecessarily high even from a prohibitionist standpoint and raised a number of duties which, high as they were, did not affect the desired object of prohibition. President Taft was apparently satisfied that the new law constituted a sufficient redemption of ante-election promises, and his satisfaction with the new law was not superficially unreasonable, because those pledges did not advance any principle of revision incompatible with a prohibitive tariff. A scale of duties calculated to give all American products an advantage in the home market sufficient for the abundant compensation of the labor and capital needed to produce them—such a scale of duties obviously means the exclusion of competitive imports. But President Taft failed to understand that public opinion was really demanding a revision which diminished the cost of the protectionist system, and because of this misinterpretation he compromised his position as the leader of the progressive wing of his party. The Republican tariff reformers with a better understanding of public opinion refused to accept the revision as sufficient; and the President's attempt to harmonize his party only gave determination and bitterness to the insurrection. If there had to be war the President should have been caught on the other side. His predecessor had placed him in a position which could be held only by fighting, but not being by disposition a warrior he instinctively tried to shirk the responsibility. The result is that he is by way of being alienated from that element in public opinion from which he should derive his strength.

If the foregoing analysis of the general situation is correct, the Republican party is facing one of the most difficult and dangerous crises of its career. Here is a party which is committed by its traditions to the formulation of a policy, genuinely expressive of the national interest, and which in the fulfilment

of that responsibility actually formulated a policy which for many years contributed to the economic development of the country and, on the whole, satisfied public opinion. Little by little, however, it is discovered that the national interest is demanding the modification of every important element in the economic system for which the party has in the past been responsible. During a few years under aggressive leadership the "regular" party machine quieted public opinion by consenting to certain modifications in its policy, but every concession encouraged further demands and, consequently, increased the opposition of those interests connected with the party who have benefited most from the traditional system.

In seeking to determine the comparative merits of the two parties to this decisive controversy, it would be a mistake hastily to assume that they are monopolized by the Insurgents. The latter are undoubtedly fighting for certain reforms the adoption of which is essential both to the redemption of the traditional responsibility of the Republican party and to the economic welfare of the American people. But while their purposes are deserving of all praise, the spirit in which these reforms are conceived and the methods by which they are pursued are not equally meritorious. The Insurgents are seeking to realize an essentially national programme in at least a partially factious spirit. Their insurrection has been due as much to a solicitude for local as to a solicitude for national interests. They are suspicious of the East; suspicious of the patriotism of their opponents; suspicious of much in contemporary economic and political life, which is essential to American national efficiency. They have made a bugbear of monopolies and straightway suspect a monopolist behind every opposing barrier. They have not as yet thought out either the meaning of their insurrection, the consequences of their reforms or the principles which underlie their programme. They have enunciated no theory of tariff reform upon which a sufficiently drastic and effective revision can be based. They have announced no method of conservation which strikes at the essential root of American economic extravagance—at the fact that not merely a few corporations and monopolists, but almost all American producers and proprietors have been encouraged to confuse business with speculation. In short, they have all the earmarks of agitators rather than statesmen, and not one of them

can be named (unless Theodore Roosevelt is still to be classed as an Insurgent) who is capable of inspiring general confidence and becoming a national political leader.

On the other hand, many of the "regular" Republicans, particularly a number of those most immediately associated with President Taft, are men capable of taking large views, of thinking out policies to their logical conclusion, of drawing measures of effective constructive legislation, of making efficient and public-spirited administrators and of inspiring personal confidence. They are being stigmatized as dangerously conservative, chiefly because the changes in the national economic interest and in the public opinion have moved faster than they could follow.

Finally, a doubt inevitably arises whether the legislative branch of the general government, as constituted at present, really has the ability to carry out the series of economic reforms demanded by the national interest. Both Representatives and Senators are at bottom district and State delegates in a national Legislature. Congress has succeeded in passing national legislation hitherto partly by log-rolling, partly by party discipline and partly in virtue of the fact that the national interest has been conceived chiefly as a composite version of individual and local interests. But the newer national policy demands that certain individuals and localities shall submit to temporary losses for the benefit of the national economic system, because such losses are the inevitable penalty of a change from the extravagance and waste of an overheated economy to one that is comparatively cool and hardy. A Congress composed of district and State delegates must be coerced into the passage of the necessary legislation; and the necessary coercion can be exercised only by means of stringent party discipline and the autocratic organization of both Congressional bodies. As it happens, however, Insurgent Republicanism is inimical both to party discipline and to the existing responsible (though perverted) leadership of the House and the Senate; and is thereby helping to destroy the means whereby the new national economic system must eventually be achieved. One can only fall back upon the hope that in the end the crying need for thorough-going economic reform will create the great increase in economic and political intelligence and in disinterested patriotism needed for its satisfaction.

HERBERT CROLY.

MILITARY PREPAREDNESS.

BY MAJOR-GENERAL WILLIAM H. CARTER, U.S.A.

"We should have an army so organized as to be capable in time of emergency, in co-operation with the national militia and under the provisions of a proper national volunteer law, rapidly to expand into a force sufficient to resist all probable invasion from abroad, and to furnish a respectable expeditionary force, if necessary, in the maintenance of our traditional American policy, which bears the name of President Monroe."—*Inaugural address of President Taft.*

A WELL-BALANCED distribution of the influence of nations will, in the future as in the past, depend upon the ability of each to guard its interests. It is profitless to indulge in academic discussions as to the barbarity of expending national wealth upon fleets and armies, so long as those countries possessing these essentials of military preparedness continue to be the centres of the world's wealth in treasure, science and the arts. A nation blessed with boundless resources and with the energy necessary to develop them has all the crude elements of military strength. Given unlimited time, the multiplication of battleships and the creation of armies would follow along normal lines. Such a business-like proceeding is not apt to obtain, however, in these modern days.

If a nation could be committed to war only by its rulers and well-poised statesmen, there would be reasonable ground to expect that war would never be declared without preparedness. Under the influence of an inspired or hysterical press, however, public opinion may become inflamed, and masquerading as patriotism exercise an irresistible pressure upon those in authority. Not infrequently those who in peace have been the most indifferent to the duty of preparation become the most impatient for war.

History ever repeats itself. Washington had a serious time

from start to finish, in his efforts to secure approval of his recommendations for the nationalization of the Revolutionary Army and the conduct of that struggle on a business basis. Called again to the head of the army in 1798, when war with France seemed inevitable, Washington found the Congress more amenable, but conditions still continued such that the avoidance of war was a source of deep satisfaction to him and to the country at large.

The preparation for and conduct of the War of 1812 was a severe shock to the nation's pride. Out of several campaigns checkered with humiliation and shame came the employment of one of Napoleon's most distinguished French engineers, General Simon Bernard, to whom the country is deeply indebted for the designs of the older fortifications which gave protection to our extended seacoast for half a century.

Practical experience against Indians, and the knowledge of the art of war disseminated through the Military Academy at West Point, enabled the army to plan and execute the campaigns in Mexico in a manner deserving of far more recognition than has usually been accorded to that war. The experience of the younger generation in the Mexican campaigns was of infinite value in the Civil War, but the military system based upon experience gained in the war with Mexico, and the subsequent operations of a small army of 10,000 men, disclosed many palpable defects when applied to the administration of an army of more than 2,000,000 men.

No other nation has been so lavish in expenditure for the preservation of historical records of its greatest war or so generous in making them available for students. Rivers of ink have been used in explaining the details of the various campaigns and battles, as well as the political situations which made the Civil War inevitable. How painful it is to learn from these records that, notwithstanding the enthusiastic orations of the *men* of 1860 and 1861, the great war was fought by the *boys,* whose priceless blood was poured out upon a hundred battle-fields and of whom a vast proportion were too young to vote on any of the great questions of the day.

At the outbreak of the war with Spain nearly all of those in positions of authority were veterans of the Civil War, and it was but natural that the methods which obtained in the latter conflict

should have been once more applied. It had been forgotten that some of the most capable and experienced generals of the Civil War had expressed the opinion that the system under which they had labored was seriously defective and had advocated reform in many matters before the real experience of that war should be forgotten. The war with Spain and the long period of active service, in widely separated countries following in its wake, have added many laurels and experiences to those already gained by the army. Uniform success over an unprepared enemy has, however, served to lull the nation into a sense of security not in harmony with the existing state of the world's unrest and commercial rivalry.

In the presence of grave emergencies, no other nation has been more prodigal than America of its wealth for military and naval purposes. In normal times, however, there is no more thankless task than that of endeavoring to prove to one's fellow citizens that we should not only preserve the excellent features of past military systems, but also bend our efforts to avoid the humiliating experiences of our forebears.

The records show conclusively that the theory that every citizen of the Republic stands ready to march to its defence is wholly fallacious. Even if true, there would still remain the lamentable fact that mere readiness does not carry with it actual fitness.

Basing their opinions upon the results of all our previous experience in war, there are many patriotic men who doubt the wisdom of some recent militia legislation, especially that which forbids the calling out of any volunteers until after the organized militia has been called into service. The country is now committed to this policy, however, and if the enthusiastic officers of the National Guard can keep up working organizations in peace, there is justifiable hope that there will be no difficulty in filling the ranks at the outbreak of a popular war. With permanent appropriations of $4,000,000 annually for the organized militia, there should be no repetition of the scenes at the large mobilization camps of the war with Spain. The State organizations should be prepared to report for duty uniformed, armed and equipped, and with a reasonable proportion of men with some previous experience and training in armories and camps of instruction. This was the case with comparatively few of the regiments in 1898. The optimistic friends of the recent legisla-

tion do not estimate, however, that the number of available organized militia answering a call for war will exceed 100,000.

As both the National Guard and volunteers are dependent upon the regular army for their models of organization, equipment and drill, it is very necessary that the organization of the war army should be fixed during peace and on lines of such simplicity as to be easily assimilated by new volunteer organizations.

The staff of an army should be based on the organization and strength of the line, with such additions as are required to provide for the first call in a war of moderate magnitude. Legislation for the army staff should include models for the militia staff, which has never had any homogeneous organization in the various States nor any proper provisions for its business training and calling into service in time of war.

The Constitution places upon Congress the authority to raise and support armies. With this authority there goes the right to full and complete knowledge as to the use of the means and money provided for military purposes by that body. Under this view, Congress has deemed it wise to place limitations from time to time upon the use of appropriations, and in this way a mass of minor provisions have come to tease the army in the administration of its affairs. The Articles of War and the Army Regulations were all that was needed formerly to carry on the business of the army. Now, however, the many technical restrictions contained in appropriations, together with the steadily growing volume of comptrollers' decisions, have cast a pall of doubt and uncertainty over all army administration, involving disbursements, which even the orders of the Secretary of War may not surcease. There is no such thing as a profit-and-loss account in army business. The constantly growing volume of paper work, known to the public as "red tape," makes it well-nigh impossible for the average officer not provided with a full office equipment to take up disbursing work in the field with any hope of having his returns passed unquestioned through the War Department and the treasury. To the untrained staff officer called suddenly into active service from a business career, the army system seems a hopeless tangle, and he soon learns that it is only those who escape accountability for public funds and stores who may depart in peace.

At the close of every war of magnitude, nations draw conclusions as to the causes of success and not infrequently assign much importance to insignificant details and draw general conclusions from isolated experiences. Much academic discussion has been had concerning the influence of various models of guns and small-arms, the relative invisibility of uniforms and as to the comparative value of bayonet and sabre, all important details but trivial in comparison to the higher questions that must be solved for each campaign so long as success of armies is the goal.

To plan the organization or reorganization of an army capable of passing automatically from a peace to a war establishment requires a detailed study of many problems and a training in line and staff duty which has only become possible to American officers in recent years following the establishment of the General Staff.

In the past there has been no continuing body whose duty it was to keep pace with modern theories and inventions and to prepare military information in an available manner for the War Department as a whole. Congress has not wanted for advice, but in the confusion arising from conflicting opinions, often based on selfish interests, it is not surprising that military legislation has so generally consisted of a grouping of ragged compromises. All this should gradually change and such confidential relation be established between the War Department and Congressional Committees that the former may be wholly relied upon for professional assistance, leaving to the Congress the establishment of the national military policy into which the technical details shall be properly interwoven. The Congress may be generally depended upon for the enactment of legislation proper for the country's defence and for the organization of its military forces whenever the subjects are presented for consideration in a business-like way and without the antagonism so frequently arising from personal views or pride of corps.

If Americans are ever called upon to fight for national existence against a combination of foreign foes, it is possible that volunteers would exceed the available guns, but there is nothing in our past history to justify the claim. The bounty and draft records sadly discount the orators on this subject.

Our nation is committed, historically, to the volunteer system

in peace and war. No prominent American with political aspirations has ever presumed to advocate compulsory military training, yet there can be no doubt that the adoption of State laws requiring instruction in the duties of citizenship, coupled with service in the National Guard for at least one year before exercising the right to vote, would in a few years qualify the rising generations to better comprehend and rightly value the generous liberty vouchsafed to them by the Republic.

In time of peace, no one advocates conscription for the regular army, but there has long prevailed a sincere sentiment that in the organization of its army for war the Southern Confederacy proceeded upon right lines. It is the only fair way to render a return for the nation's guarantee of life, liberty and the pursuit of happiness. A nation is not justified in accepting the voluntary service of its best blood, leaving others to pursue untrammelled their business careers. The volunteer and the bounty systems fall short of a fair distribution of the personal debt due a nation. The right of a rich man to buy the services of a poor man as his substitute in war ought to be branded as one of the shameless practices of the Civil War to be forever banished by a Government which has as its corner-stone the political equality of men.

The Civil War confused the Constitution-makers, who never could be brought to acknowledge the correctness of Washington's estimate of the fatal weakness of a military system based upon the availability of the untrained masses to meet national emergencies. It cost much in blood and treasure to train the great armies of the Civil War, which in the end became regulars in all but name and the equals in battle of any troops in the world. The records show many instances of regiments fighting courageously after sustaining losses of from fifty to eighty per cent. of those engaged.

That American armies of the future will be more difficult to discipline than those of the past must be apparent to thoughtful men who daily witness the decadence of respect of the rising generation for those in authority. Americans are warlike when aroused, but are not a military nation in the sense of submitting to a general and patriotic preparation for war. The cult of enthusiasm for the flag, so wide-spread in recent years, does not contain the fibre demanded by a gruelling war of long duration.

American military problems differ materially from those of any other nation. In some respects the system of England is akin to ours, but in practice our needs are to be met only by original investigation of peculiar conditions and the application of laws designed to meet them.

Experience in all our wars has taught conclusively that it is not enough to have full organizations at the beginning of field operations. Some system of keeping the ranks of regiments filled during war must be provided. For more than a century this has always been a weak link in the military chain and it has generally broken at critical moments. Abounding evidence of this exists in the history of the Civil War, yet we are still depending upon the system of general recruitment in war which failed so lamentably then.

When history is searched with reference to specific causes of failure or lack of full success, it is surprising how much may be justly attributed to improper employment of the several arms, having due regard to the nature of the theatre of operations and to national traits and aptitudes. Generals seldom have an opportunity for acquiring a practical knowledge of the employment of all the arms until war brings actual field experience. In this respect the navy has a marked advantage over the army, for the reason that vessels in commission are always on a war basis and when assembled in fleets they have only to practise the manœuvres of war. No part of the army or National Guard ever appears at manœuvres or camps of instruction on a war basis.

We do not need a large army, but we must have one well trained and of sufficient size to meet existing requirements. We are extravagant with fortifications and stingy with men. We should begin without further delay to plan division cantonments to replace isolated forts and barracks which have outlived their strategical usefulness. The cost of a well-equipped, modestly built cantonment for a normal division of three infantry brigades and the proper contingent of other arms would be greatly offset by the saving in transportation of supplies and in assembling troops for manœuvres every alternate year. It will be the least expensive way of teaching both regulars and National Guard the business of war in all but actual combat. In event of hostilities such cantonments would be invaluable as places of assembly for the volunteers contemplated in the second call to aid

the regulars and National Guard. The ease with which new regiments could be prepared for service at such establishments would put to shame the large camps of the war with Spain.

We are not competing with other nations in an extravagant policy of military and naval expansion. If we would avoid much of the waste inseparable from going to war without due preparation, we must be ready with a complete system for passing from a peace to a war establishment. Thus only may we avoid a repetition of the humiliation of having masses of patriotic men in unsanitary camps, qualifying for the pension roll through lack of previous training in all that makes the soldier fit and worthy of the name.

Nearly every war of consequence has shown that when fairly matched armies confront each other, success usually follows some innovation in organization and tactics, traceable frequently to an individual. The nation which has gone to war with the organization, equipment and tactics of its last war, or of a previous generation, has usually encountered initial defeat.

With abundant and splendid material for soldiers and effective arms, wisdom, expediency and policy alike dictate that we should sleeplessly face the problem of simplifying and perfecting our administration, organization and tactics, to the end that the new army of regulars, organized militia and volunteers may pass automatically from a peace to a war basis.

Success in war depends upon military preparedness, which in turn is based upon organized military resources. Loyal men, physically fit and trained, properly provided with war materials and sustained by the moral support of the nation and a continually replenished treasury, constitute the only guarantee of victory and avoidance of national humiliation.

WILLIAM H. CARTER, U.S.A.

THE RIGHT TO STRIKE: ITS LIMITATIONS.

BY JOSEPH J. FEELY.

THE recent strike of the switchmen of the Northwest, with its wide-spread and disastrous effect upon the commerce of a large section of the country and the inconvenience caused to its citizens, the threatened strike upon the Eastern railways, bring afresh to the public mind the question: What limitations are there upon the right of a large group of men to combine and strike when such action directly imperils the safety or welfare of the public?

How far can such forces be controlled by organized society through the mandates of its courts, the only tribunals that the public has devised for interpreting and applying the rules which must govern the conflicting conduct of men?

Law is but the expression of the supreme authority of the State and obedience to such authority is man's first duty.

In interpreting the law, courts are but the oracles of the public will. To them at all times and under all circumstances the great mass of the people look with confidence for a proper interpretation of those rules by which individual or collective conduct must be regulated for the public good. For every wrong the law presupposes a remedy and it is the duty of courts to define and apply that remedy.

Novel questions have recently arisen by reason of combinations of capitalists, yet the courts have found little difficulty in dealing with and satisfactorily settling such questions, not alone by reason of the few statutes which have been passed upon the subject, but rather by the application of those time-honored principles of justice and equity which have received the sanction of ages.

The law is not inadequate nor the courts impotent to deal with the equally novel and important questions presented with so much aggressiveness by combinations of laborers.

A strike may be defined to be a cessation from employment by two or more persons, pursuant to a common design or understanding, for a cause other than a mutual termination of employment by employer and employee. A strike as the public has come to recognize and understand it has certain characteristics not pertaining to the ordinary quitting of employment by an employee. In the first place, the striker does not really wish to relinquish his employment. He simply aims to interrupt the ordinary course of business to which he has been a party as a means of coercing the employer, through the inconvenience and loss which his action causes, to accede to his demands. His quitting employment is, therefore, but a means to attain an end and both must be lawful to justify the action taken.

Moreover, in the ordinary strike the grievance is usually not so much that of the individual as that of a combination of individuals to gain what is termed a mutual benefit.

Furthermore, the joint action of several persons quitting their employment at a prearranged time is entirely different in character and effect from the ordinary act of quitting employment by the individual laborer.

It has been frequently stated by labor leaders and others, even by tribunals who should weigh their words with more exactness and care, that laborers have a right to enter into combination and to strike for whatever reason they choose or for no reason at all. Such a broad statement is, however, inaccurate and frequently misleading, for the right to strike, as an examination of the authorities plainly shows, is not an absolute right, but one which, like the great majority of privileges which the citizen possesses, is limited by the co-equal rights of others.

It has been stated that a strike, however peaceful the means adopted to enforce it, is designed to mean coercion and compulsion, and coercion and compulsion which, to be effective, shall be irresistible, a practical effect impossible of accomplishment by individual action.

It is with restrictions upon this concerted action that the courts have had to deal. These restrictions have been the subject of many judicial determinations. The courts of Massachusetts have been foremost in stating and applying the principles of law governing the use of such combined action.

Ordinarily, in the case of an effective strike, but two parties

are primarily affected—the employer and the striking employee, though the public is in the end the party most surely, if but indirectly, affected by every strike, for upon the result of the strike depends the transfer of some economic advantage.

For instance, if the strike be one to enforce the familiar demand for shorter hours or higher wages, its success means a higher cost of the article produced, and this higher cost it can safely be asserted is not long borne by the employer, but is soon shifted by him to the consuming public in the form of a higher price for the article produced.

There is, however, a class of strikes in which the public is directly affected, and in the consequence of which it has a paramount interest, as, for instance, strikes upon public-service instrumentalities which interrupt commerce, transportation, communication or other utilities essential to the welfare of the public. In such a strike the striking employees know that their unrestrained power of interference with the operation of those instrumentalities, which society has created for its welfare and convenience, supported (as are the strikers) by its patronage, and the consequent annoyance is the most effective weapon which the strikers possess to coerce the employer into acceding to their demands. The courts have had occasion to give but slight judicial attention to this class of cases lately so menacing to the public.

One is frequently met by the statement that what one may do the many may do. That is obviously not true, for the reason that the act of the many is not the same in intention or effect as the individual act. A man may walk down the street as he chooses, but a body of men may not walk down the same street in procession without a permit from the public authorities. Here is a clear illustration that the right of the individual to walk upon the street is subject to the limitation that he may not walk in concert with large numbers, even though he wishes so to do.

While the law permits the individual not under specific contract to quit his work arbitrarily and for little or no reason, his right to do this is subject to the limitation that he must not do so at such time or in such a manner as to destroy his employer's property or endanger the public safety. For instance, if he were engaged as engineer upon an engine, he would not be justified in quitting at a time when he had such a fire or head

of steam on as might, by leaving the engine unattended, cause an explosion and so endanger the public safety or destroy his employer's property.

Again, an individual under contract not terminable at will may not lawfully break his agreement, and so to cease work under such circumstances is unlawful.

The character of the contract to work for another is such that except in certain peculiar instances public policy does not compel the specific performance thereof by the individual, although still branding the breach as illegal and awarding damages therefor.

In spite of the somewhat unsettled state of our law in this respect, it is clear that even the right of the individual to cease work is limited: (1) By the paramount right of the body politic to assure its own safety and (2) by the co-equal rights of other individuals.

Notwithstanding the existence of these two general restrictions upon the individual's right, the value of freedom of movement and choice among its citizens is considered of such paramount importance to the community that the right of the individual to cease work is regarded as a right higher in degree than most of those rights with which it comes in contact, so that the single person may exercise his right for an arbitrary, absurd or illogical cause, if he will, or for any cause not affirmatively stamped by the law as illegal.

At the outset we encounter this striking difference between the status of the individual and that of the group, that whereas the privilege of the individual to work or not, as he sees fit, is treated as of the greatest importance to society at large, the right of the group to strike simultaneously, containing as it does, potentialities of far-reaching harm and destruction to the whole body politic through its many citizens affected, is regarded not as of supreme importance, but only as of equal rank with the privileges of others, and since the exercise of this right almost inevitably works intentional injury to others, those who take upon themselves to invoke its aid are held strictly accountable for its use in a justifiable manner and for a justifiable end. The privilege of using this right to quit work arbitrarily, which we see in the case of the individual, no longer exists in the group, who are permitted to avail themselves of it only when such use can be

justified; it cannot be said to be justified when the damage inflicted is out of all proportion to the benefit sought for or when the end striven for is arbitrary or contrary to the accepted law.

As the strike by a combination of individuals must be acts of individuals plus the effect of concerted action, the combination must of necessity be subject to such limitations as apply to individual action, and also to such limitations as are peculiar to the resulting action of the combination, for the reason that the power of concerted activity is essentially so different and so vast, and its use so infinitely more coercive in comparison with individual effort, that its exercise in the same manner as that allowed to individual activity would completely overshadow resisting endeavor on the part of citizens acting severally. Clearly, then, the right to use such enormous power, a power derived from the very existence of organized society, must of necessity be a qualified privilege which can only be taken justifiably or reasonably with due regard to the rights of that society which makes its exercise possible, and not in such a manner as directly or intentionally to injure or unnecessarily interfere with or oppress the public.

In a recent case the Supreme Court of Massachusetts said:*

"There is a fact which puts a further limitation on what acts a labor union can legally do. That is the increase of power which a combination of citizens has over the individual citizen. Take, for example, the power of a labor union to compel by a strike compliance with its demands. Speaking generally, a strike to be successful means not only coercion and compulsion, but coercion and compulsion which, for practical purposes, are irresistible. A successful strike by laborers means in many if not in most cases that for practical purposes the strikers have such a control of the labor which the employer must have that he has to yield to their demands. A single individual may well be left to take his chances in a struggle with another individual. But in a struggle with a number of persons combined together to fight an individual the individual's chance is small, if it exists at all. It is plain that a strike by a combination of persons has a power of coercion which an individual does not have.

"The result of this greater power of coercion, on the part of a combination of individuals, is that what is lawful for an individual is not the test of what is lawful for a combination of individuals; or to state it in another way, there are things which it is lawful for an individual to do which it is not lawful for a combination of individuals to do.

* Pickett *vs.* Walsh, 192 Mass., 582, 586.

"It is settled in this Commonwealth, as we have already said, that the line within which a combination of individuals like a labor union must confine its actions is drawn much closer than in case of the same individuals acting separately."

In arriving at their conclusion upon this question, the courts have applied certain well-known principles which have received the approval of many ages in dealing with combinations, whatever their purpose. The court has inquired:

First: What is the purpose of the combination? (*a*) Is it a lawful purpose? (*b*) Is it an unlawful purpose?

If the combination is found to be for an unlawful purpose the court will enjoin the carrying out of such purpose by any means whatever.

Second: If the combination is found to be for a lawful purpose, are the means used or designed to be used to carry the combination into effect lawful or unlawful? If unlawful means are to be used the courts will interfere to prohibit such use.

The so-called "right to strike" is thus seen to resolve itself instead merely into a right to strike in order to attain a justifiable end. Our courts, especially those of Massachusetts, the only State in which the questions relating to this right have been considered in any extensive way, in passing upon cases involving the right to strike follow these general principles and seek to determine whether the purpose of the strike is one which a reasonable man would consider a justifiable end in view of all the surrounding circumstances, keeping in mind the co-equal rights of others and the general grounds of public policy.

The Supreme Court of Massachusetts has said:*

"It is settled in the Commonwealth that the legality of a strike depends (in case the strikers are not under contract to work) upon the purpose for which the combination is formed—the purpose for which the employees strike."

Adopting this method, the courts have passed specifically upon a number of situations and have established certain causes as ones sufficiently meritorious to justify a strike and have labelled others as unjustifiable, and the right to strike can be said to

* Reynolds *vs.* Davis, 198, Mass., 294.

exist only for the purpose of promoting a cause in the first class and to be non-existent where the cause falls within the second division.

Some instances in which such combinations were found to be for an unjustifiable end, hence an unlawful purpose, are:

Where the object was:

1. To secure a monopoly of a trade or calling.
2. To create or maintain a closed shop.
3. The sympathetic strike.
4. To procure the discharge of a workman because he does not belong to an organization.
5. To induce the violation of a contract on the part of a third person.
6. To violate the actor's contract.
7. To enforce the collection of a fine on an employee levied for the purpose of compelling him to join in a strike.
8. To force upon the employer rules for arbitration made wholely by the union.
9. Improper interference with the right of the employers to have access to a free labor market.

It will be noticed that courts have largely had to consider such combined action as dealt with the interference of co-equal rights of the other individuals. The courts have said that "in this, as in every other case of equal rights, the right of each individual . . . may be said to end where that of another begins."

The right to labor is the primitive right of man; deny it to him and the right to live is denied. The right to labor includes the right to dispose of one's labor. The right to dispose of one's labor with full freedom involves the correlative duty on the part of others to abstain from any obstruction of the fullest exercise of such rights. The denial of this right not only affects the individual, but is an attack upon the public welfare and so is against public policy.

For both of these reasons, therefore, the court will enjoin any unjustifiable infringement of this right.

Thus far have the courts gone in interpreting and applying the law for the preservation of individual rights, in defining what limitations shall be applied to combined action which interferes with co-equal rights of others as individuals.

The application of the same principles would seem adequate to protect the public from the consequences of much of the hasty, inconsiderate, or improper concerted action in those cases where such action vitally affects the public welfare.

Certainly the interest of the public should have as prompt and as effective consideration and protection as those of the individual or group of individuals.

The right of the body politic to assure its own safety is the highest conceivable right. Why should not the concerted action of large bodies of men deriving their income from the patronage of the public, tending directly to public injury, be subordinated to the paramount right of the body politic to assure its own safety?

Why should the lesser rights be protected and the greater right be subjected to unrestrained attack?

Such paramount right of the public would seem to be a sufficient justification for legislative action creating tribunals to which matters growing out of industrial disputes *involving the public welfare* should be left for compulsory arbitration and settlement, as soon as the creation of such a tribunal be deemed expedient. Until such a method of controlling this sort of industrial strife be created, it will be the duty of courts to interfere, whenever it is shown, in due course of legal procedure, that the public safety or welfare is threatened to determine not only the legality of the issues involved, but also whether *in any event* the concerted action is such as is likely to endanger the public safety or welfare, and if such be found to be a fact, then by their mandate to prohibit such arbitrary concerted action on the part of any group of men.

JOSEPH J. FEELY.

SOME NEW VOLUMES OF VERSE.

BY W. D. HOWELLS.

NEXT to Mr. Thomas Hardy's novels I have liked his lyrics;* but I hasten to say that my preference must not be interpreted to the disadvantage of his dramas, for I have not yet read his "Dynasts." Probably, as I am so apt to like everything he does, I shall like his dramatic pieces as much as his lyrical. Yet I promise nothing, and I would be no true critic if I did not make my reservations concerning even his lyrics. I do not like them all, and those that I like I like partly rather than wholly. Of course, one might say the same of Shakespeare's or Milton's things, or even one's own imperfecter endeavors; but I find it a peculiar hardship in a writer whom I had not expected any poetry at all of, and have then got more than I expected: I feel that he owed me an unalloyed recompense when my experience had bettered my expectation. This sort of disappointment attended me in the "Wessex Poems," and in the "Poems of the Past and Present," and it has followed well through "Time's Laughing-Stocks." But there is every now and then a piece of Mr. Hardy's, with a line, a stanza, or perhaps only a phrase in it, so captivating that I yield to it a heart used to giving itself with something like the passion of first love and gladly let the sweetness qualify the whole piece for me. Such a stanza is that parenthesized description of the bride, as if the like richness could be carelessly thrown in any time, in "The Satin Shoes":

> "(She was as fair as early day
> Shining in meads unmown,
> *And her sweet syllables seemed to play*
> *Like flute-notes softly blown.*)"

Never have I known anything more tenderly, more endearingly

* "Time's Laughing-Stocks and Other Verses." By Thomas Hardy. New York: Macmillan & Co.

said or fuller of the sense of youth, of girlhood and of a personality delicately embodying both; and I made haste to get "Time's Laughing-Stocks," that I might find all the other pieces like that. But I did not find even that; it was of a still later singing; and this, perhaps, impoverished me among the pieces I did find. Yet if it had not been for the loveliness of those lines, I might have felt a greater beauty than I owned in the beauty really there.

It is mostly a tragical beauty, a sort of wild-flower pathos, a wayside-wood passion, which is the nature of the book, with a grimness, an obstructiveness as of stony fields and perdurable monoliths in the over-psychologized passages. "A Tramp-Woman's Tragedy," "A Sunday Morning Tragedy," "The Curate's Kindness," "Julie Jane," "The Husband's View," and "A Dream Question" will give the reader a notion of what I mean, though he will do well to read the rest of the poems while he is about it. He will find compacted, or ejaculated in the difficult pieces, that rich earthiness, that heathenness, that mortalness, that godlessness which one is aware of in Mr. Hardy's fiction, or thinks one ought to be aware of, since it has been so much noted. I am rather ashamed to note it again; but what can one do? It seems rather awfuller, nakeder, starker in the verse than in the prose, where it is softened and veiled by the play of the poet's humor. Poet he is, and always was, with more affection for his mother Earth than his father God whom he seems not to understand very well and apparently accuses of ignoring if not neglecting His children, and of not being a very high intelligence or at least a deep consciousness.

"NEW-YEAR'S EVE.

"'I have finished another year,' said God,
'In gray, green, white and brown;
I have strewn the leaf upon the sod,
Sealed up the worm within the clod,
And let the last sun down.'

"'And what's the good of it?' I said.
'What reasons made you call
From formless void this earth we tread;
When nine-and-ninety can be read
Why nought should be at all?

"'Yea, Sire; why shaped you us, who in
This tabernacle groan—
If ever joy be found therein,
Such joy no man has wished to win
If he had never known!'

"Then he, 'My labors—logicless—
You may explain, not I:
Sense-sealed I have wrought without a guess
That I evolved a Consciousness
To ask for reasons why.

"'Strange that ephemeral creatures who
By my own ordering are,
Should see the shortness of my view,
Use ethic tests I never knew,
Or made provision for!'

"He sank to raptness as of yore,
And opening New-Year's Day,
Wove it by rote as theretofore,
And went on working evermore
In his unweeting way."

This is the Poet's case against the Creator, and it seems a strong one; few creatures but it shall bring a thrill of bitter self-satisfaction; but perhaps if it were the Creator really speaking, and not the Poet dramatically for Him, He might have something different to say. Between personages so high, however, the critic may not venture to interpose, and the reader will probably do best to pass in silence.

But is this somewhat a mood of all the actual poetry? I have fancied perhaps it is, but I will not positively say that I find confirmation of my conjecture in the two books of lyrics by Mr. Rice,* which as in Mr. Hardy's case I have been reading to the exclusion of his dramas. It is an English deity that Mr. Hardy mocks, and it is English emotions and experiences, ground-English, which his satire reflects; but the fanes that Mr. Rice flouts are far-Japanese, Chinese, Hindu, Moslem, Egyptian. The gods there no more answer back than the English deity; now, since all the gods have grown so subjective, they no longer retort in plagues, or comets, or earthquakes, or in fire from heaven, that they were once so ready with; it appears they can-

* I. "Many Gods." II. "Nirvana Days." By Cale Young Rice. New York: Doubleday & Page.

not; or else they will not because they have found that such arguments do not meet the human logic. As for our own Hebrew-derived, English, Anglo-Saxon deity, who is so far from meeting the English poet's requirements, the American poet starts on his round of the Oriental faiths with a consoling trust in Him that I must transfer to the reader so far as he will accept it.

"ALL'S WELL.

"The illimitable leaping of the sea
The mouthing of his madness to the moon,
The seething of his endless sorcery,
His prophecy no power can attune,
Swept over me as on the sounding prow
Of a great ship that steered into the stars,
I stood and felt the awe upon my brow
Of death and destiny and all that mars.

"The wind that blew from Cassiopeia cast
Wanly upon my ear a rune that rung;
The sailor in his eyrie on the mast
Sang an 'All's well' that to the spirit clung.
. . . . . .
'And is all well, O Thou Unweariable
Launcher of worlds upon bewildered space,'
Rose in me, 'All? or did thy hand grow dull
Building this world that bears a piteous race?
O was it launched too soon or launched too late?
Or can it be a derelict that drifts
Beyond thy ken toward some reef of Fate
On which Oblivion's sand forever shifts?'

"The sea grew softer as I questioned—calm
With mystery that like an answer moved,
And from infinity there fell a balm,
The old peace that God *is*, tho' all unproved,
The old faith that tho' gulfs sidereal stun
The soul, and drown within their deep,
There is no world that wanders; no, not one
Of all the millions, that He does not keep."

Mr. Rice seems more naturally a singer than Mr. Hardy, and whatever I might say of his theology I could have but little praise for his poetry. There is some bold languaging which I could wish a little more timorous, though perhaps the themes may imperatively require it; but the poems are flashingly, glowingly full of the East as I understand the East, though really

I may no more understand it than I understand Greek when I say that certain modern poetry is very Greek; one trusts to one's ignorance in these things and to what people say who ought to know. But what I am sure of in Mr. Rice is that here we have an American poet whom we may claim ours, however Japanese, Chinese, Hindu, Moslem, Egyptian he may be in his inspirations and divinations. There is abundance of mysticism, which is almost never misticism, in his page, but I believe I like best of all that ribald burst of human nature in "A Song of the Sects" from the lips of an Armenian, a Latin, a Coptic and a Greek Christian in a tavern at Jerusalem. Its savagery, to be sure imparts no sense of the beauty one feels in most other pieces in the book. But one realizes here as there that it is a fresh voice one hears so far from home swelling our native chorus, and it is again a Kentucky voice, as clearly of the Kentucky earth and sky as Mr. Cawein's, long so surpassingly rich and fine. The later singer is not so sensuous as the earlier, and from what I have been intimating he is over-psychological in his themes. The one brings Keats's Hellas to Kentucky; the other carries Kentucky to all the Orient. But when he finds his dreaming and divining fancy recalled by some strong local occasion, he comes down to business with a strenuousness which I do not remember to have found in Mr. Cawein's muse, though quite likely I have forgotten. I mean that such pieces as "Night Riders" and "Honor to the Night Riders who murdered Hedges," coming at the close of "Nirvana Days," give one a grateful sense of indignantly duteous force which is refreshing after those excursioning reveries. One perceives that it was for a special reason that this poet was born in Kentucky and not in the sunrise lands that have so winningly invited his naturalization.

It is in like manner to our pleasure and profit that an English poet domesticated among us turns so often, with "heart untravelled" to his own country, in Mr. Le Gallienne's "New Poems."* Though the themes are apparently impatriate, it is England that suffers and revolts and renounces in such magnificent humanities (if I may wrench the word from a conventional to a real use) as "The Cry of the Little Peoples," and

* "New Poems." By Richard Le Gallienne. New York: John Lane Company.

"Christmas in War-Time," and "The Illusion of War." It is her conscience, it is her grief, that speaks in the first and the second, and it is her outraged common sense and true heart uttering themselves in the last, which I am going to repeat here for the good of the reader's soul, for we Americans, too, are apt to be smitten with the beauty of the same glorious devil.

"War
I abhor,
And yet how sweet
The sound along the marching street
Of drum and fife; and I forget
Wet eyes of widows, and forget
Broken old mothers, and the whole
Dark butchery without a soul.

"Without a soul—save this bright drink
Of heady music, sweet as hell;
And even my peace-abiding feet
Go marching with the marching street,
For yonder goes the fife,
And what care I for human life!
The tears fill my astonished eyes
And my full heart is like to break,
And yet 'tis all embannered lies,
A dream those little drummers make.

"Oh, it is wickedness to clothe
Yon hideous, grinning thing that stalks
Hidden in music, like a queen
That in a garden of glory walks,
Till good men love the thing they loathe.
Art, thou hast many infamies,
But not an infamy like this.
Oh, snap the fife and still the drum,
And show the monster as she is."

Whoever reads this cannot question the power of a poet who mostly makes you feel his delicacy. Occasionally his delicacy goes a little too far for me and ends in a tenuity impalpable to what I am willing to call my thumb-fingeredness. Yet when it goes farthest and my week-day understanding cannot pursue it to its ultimate meaning, there is somewhere in me a Sabbath sense which divines a significance which the merely corporeal words have not borne—as in these lines:

"Oh, climb with me, this April night,
The silver ladder of the moon—
All dew and danger and delight;
Above the poplars soon,

"Into the lilac-scented night sky,
Shall mount her maiden horn,
Frail as a spirit to the eye—
Oh, climb with me till morn."

Something of William Blake, something of Emily Dickinson, (who was the New England palingenesis of William Blake) is here, and the like impalpable loveliness is in many passages of this mostly beautiful book. But it has a music very distinctly its own, with a haunting charm in its dying falls, and a delight in its gladder tones which I do not remember to have got from other poets. For lightness and fineness of what must be called critical analysis of his own joy, it seems to me that this poet is at his subtlest in "The Nightjar," which he holds dearer than the nightingale—

"The soul of Tennyson become a bird,"

the Greece that Leighton painted, "the moulded notes of Mendelssohn," the "marble make-believe" of Canova; but not comparable to the—

"Browning among the birds, the nightjar, he."

It is all very literary, and Mr. Le Gallienne is very literary, and I like him for being so, for without being so he could not turn and give so fresh and straight a drink of nature in his apostrophe to his chosen bird.

"Coarse beak of blunted music, uncouth bird
That grinds monotonous music through the night,
Trusting that truth shall make amends for art;
Thy voice is as the voice the future loves;
Face poor in feature, rich in flaming soul;
Rude bird, a shire of pine woods in thy voice,
Fern-throated, thistle-tongued and moorland bred."

It will not do to say that Keats himself could not have worded this better, for Keats is dead and there is no way of proving such a thesis; but with Keats no longer alive I take leave to be glad of the surpassing felicity of phrasing, the impassioned sense of beauty, the exquisite fancy and not least the just and manful spirit which I find in Mr. Le Gallienne's poetry.

WILLIAM DEAN HOWELLS.

A PLEA FOR JUSTICE.

BY ALEXANDER C. HUMPHREYS.

HERE in the United States it has always been, and still is, our boast that we tax property to give a free education to the masses, and that we do not tax the property of educational institutions.

It is coming to be understood that we have been unduly complacent as to the efficiency of our educational schemes and methods. At least a substantial minority of educators and legislators now hold that a system which is designed to educate the masses for self-support as a necessary preliminary to effective citizenship should not include the college as the goal for all. Such a system is a better subject for Fourth-of-July oratory than for the qualifying of the masses to gain self-respect through self-support.

But the other claim, that our State and national Governments do not tax educational institutions, is one which generally can be supported by the facts. An exception, fortunately rare, can be found in the case of an institution of national and even international reputation, namely, the Stevens Institute of Technology. This institution has been discriminated against both by the local authorities and by the national Government.

The local Government has refused to exempt from taxation certain lands in area within the limits set by the Statute, and used only in connection with its educational work; and the national Government collected a large amount from the Institute's original endowment which other like institutions refused to pay and whose assessments were remitted. The amount so paid by the Institute the Government has unjustly retained, notwithstanding repeated petitions that the Institute be reimbursed and so placed upon an equal footing with other educational institutions.

The facts are briefly as follows: The War-Tax Act of 1862, amended in 1864 and 1866, imposed taxes on legacies, inheritances, successions, etc. Edwin A. Stevens, of Castle Point, Hoboken, died in 1868, leaving $750,000 to found the Stevens Institute of Technology, $500,000 being in the form of productive endowment, $100,000 in land and $150,000 with which to erect a building thereon. Under the Act cited, the Stevens bequest was assessed $45,750, being six per cent. on $762,500. Not satisfied with assessing on the amount as bequeathed, the local officials of the national Government arbitrarily and erroneously increased the valuation of the land $12,500 for the purpose of the assessment. Thus the *productive* portion of the endowment was reduced more than nine per cent.

Under this law other institutions of learning had previously been assessed but had refused to make payment. Evidently the trustees of the estate of E. A. Stevens, who also were the original trustees of the Institute, were not informed as to the refusal of pay on the part of other educational institutions and that steps were in contemplation looking to their relief from obligation. Within twenty-eight days of the receipt of the tax bill, under heavy pressure from the local United States Internal Revenue Collector, the amount was paid in full.

In July of the succeeding year the movement to relieve the other institutions assessed, but which had not paid, took shape in special relief bills which were passed. Thus the amounts assessed against these institutions, *but not paid,* were "remitted and released." Also in July, 1870, the Congress passed a general Act which repealed all provisions of existing laws "whereby any tax or duty is laid upon bequests . . . for public uses of a literary, educational or charitable character." But no provision was made for the relief of the one institution which had met its obligation to the Government and done so promptly. Congress has been petitioned repeatedly to right this evident wrong.

When the writer assumed the presidency of the Institute, he inaugurated a thorough investigation as to the facts and then reopened the subject in Washington. Since then bills for relief have been before the Congress continuously, and the alumni of the Institute have taken an unusually active part in pressing for justice. The following bills are now before Congress and have been referred to committees: House of Repre-

sentatives, No. 20338, referred to the Committee on Claims; Senate, No. 6570, referred to the Finance Committee. Almost without exception Representatives and Senators, when spoken to privately, admit that the Institute's claim is manifestly just and should be met by the passage of these bills. The only argument in opposition which has been advanced to the writer is that the repayment of the amount would open the doors to other claimants. To this the reply has been made that this is an isolated case and, therefore, should be considered on its merits. This righteous claim for the return of money, which never should have been collected, cannot honestly and intelligently be confused with other claims differing in all or many particulars.

The Treasury Department claims that between the years 1862 and 1870 other educational institutions under this law paid taxes on legacies. The Institute's representatives, after diligent search and inquiry, have failed to learn of a single such case and the Treasury Department has been unable to cite one. But let that be as it may, the Institute's claim can be paid without opening the doors for claims covering reimbursement of moneys so paid prior to the beginning of the movement which resulted in 1870 in the passing of the special and general legislation which relieved those institutions which had been assessed but had refused to make payment. At least relief should be extended to all those who were included within the period set by the assessment longest delinquent, and certainly these should include the one institution which was assessed within that period but was not delinquent.

This case of injustice is aggravated by the fact that the Stevens Institute was the pioneer in the theoretical teaching of *mechanical* engineering, and its methods and experience have served as a standard and guide for many other institutions of higher learning that have taken up the theoretical teaching of mechanical engineering to the great benefit of the country at large.

The proof of the success of the Institute in the efficient practical training for citizenship, and especially for service in the industries, is to be found in a study of the directory of the Institute's alumni. These men are found to be occupying positions of authority in all branches of engineering and all fields of industry, as well as in other vocations. The variety of vocations shown by this study indicates that the Institute authorities, while providing a specific training along lines of practical efficiency,

have not failed to recognize their responsibility to furnish the opportunities for that breadth of training so essential to good citizenship.

The injustice of the case cited is emphasized by the fact that the Institute is probably the least liberally endowed institution of its kind and standing in the United States and now is in most pressing need of an addition to its endowment.

It is also emphasized by the fact that the founder of the Institute, whose legacy was assessed, with his father and brothers, helped forward the industries of the country probably as no other group of men did. They also placed their talents and their means at the service of the State and Federal Governments more than once in times of national peril.

The Institute authorities claim as a right, and not as a favor, that this money should be returned, and with interest. The Representatives and Senators in Washington should face this case on its merit and set an example in the practice of equity.

ALEXANDER C. HUMPHREYS.

SHALL VIVISECTION BE RESTRICTED?

BY GENEVIEVE GRANDCOURT.

THE statement made in the March REVIEW by Dr. Edward Berdoe, editor of the "Zoophilist," that by "legitimate vivisection" is meant "to make it compulsory to prevent all tortures in laboratories," thus assuming as a matter of course that such tortures exist. The point of view may better be appreciated by looking over the Minutes of Public Hearing* held by the Judiciary Committee of the Assembly at Albany on Wednesday, February 23rd, 1910. Before this committee of the State Legislature Mr. Stephen Coleridge stated that he was opposed to all pain-producing experiments on the lower animals, no matter what the aim of the experiment might be. He was thereupon asked by an Assemblyman whether, supposing a human being to be taken mortally ill, it would, in his view, be wrong to kill a horse by hard driving in sending for a doctor. Mr. Coleridge was constrained to admit that such an emergency would constitute justification. This point being settled, the question would seem to hinge upon an understanding of the word "necessary" in the definition of cruelty by Webster as cited by Dr. Berdoe.

The experiments which he mentions as having been conducted in the French Navy to test "the effects of gun-fire at sea" do not appear on their face either to have been necessary or to have been conducted for scientific purposes, but are alluded to apparently to show that dogs in the cabin of a bombarded battleship suffered extremely and in some cases were "driven mad by terror." Dr. Berdoe does not state whether he bases his knowledge of this affair on anything more readily verifiable than report.

Further on Dr. Berdoe, in speaking of the Congo atrocities,

* See notes of Colson & Brice, Reporting Stenographers to the Public Service Commission; pp. 38–41.

says: "The shareholders in these African companies must have their dividends, and the people must have their rubber, their ivory and their tapioca. It is the same defence as that of the vivisectors." Is it, indeed? What dividends accrue to the physiologist? What compensation does he get—except, perhaps, the satisfaction of adding to knowledge—for the risks of blood-poisoning in experiment, for the repulsive accompaniments to performing an intestinal anastomosis on a dog on a reeking day in August? Is it pardonable to compare the work of men engaged in the unremunerative task of establishing the cause and prevention of disease with that which results in maintaining, for example, superfluous palaces for King Leopold of Belgium? From Dr. Berdoe's argument it would appear that he thinks the balance rather in favor of the Congo trade, for he says: "The rubber merchants do not boast of their doings even in their trade journals, but the vivisectors record the details of their cruel work in professional books and papers." The fact that the latter do not on Dr. Berdoe's own admission work altogether "in secret" should be evidence enough of their good faith.

As to Dr. Crile's "terrible experiments on dogs," it is a matter almost of notoriety that this subject was thoroughly aired in the London "Times"* and the fact established that all these animals were anæsthetized, and not only that, but *they were never permitted to come out of the ether.* Dr. Frederick S. Lee, professor of physiology at Columbia University, takes exception to certain statements made in dealing with Dr. Crile's book in a pamphlet entitled "The Publications of the New York Anti-Vivisection Society"† and says: "The climax of this method of criticism is reached in the interpolated sentence: 'Curare, the drug which paralyzes the nerves of motion, but renders more sensitive those of sensation—the opposite of an anæsthetic—is mentioned as being used on pages 68, 70, 72.' Not only is the statement that curare renders more sensitive the nerves of sensation untrue, but the fact is suppressed which was clearly stated in Dr. Crile's book that morphine was used with the curare and was injected into a vein, thus making more quickly effective the well-known anæsthetic properties of the drug." This misrepresentation has been

* From December 24th, 1908, to January 6th, 1909, inclusive.

† Published under the auspices of the Committee on Experimental Medicine of the Medical Society of the State of New York (1909).

corrected so often in the last eight or ten years that Sir Victor Horsley* (under whom Dr. Crile conducted his experiments in London) has declined further to discuss the matter.

Much the same thing applies to Dr. Rose Bradford's "slicing away the kidneys of forty-nine living dogs." The object of the experiments, conducted under anæsthesia, though Dr. Berdoe implies that they were not, was to ascertain the amount of kidney substance necessary to life, Bright's disease eating away the tissue. As a consequence, we know that we can live without one kidney and with only a portion of the remaining; hence it is now entirely safe to operate upon man.

On the Minutes of Evidence Royal Commission, Q. O., 3,538 to 3,550 (Dr. Berdoe quotes by mistake 6,538 to 6,550), appears the statement attributed to Dr. Klein that he had "no regard at all" for the sufferings he caused the lower animals; but Dr. Berdoe omits all reference to Appendix II, wherein is shown correspondence on the part of Dr. Klein, stating that he was a German with an imperfect knowledge of English and wished to amend certain of his statements made under a misapprehension.†

We come now to a consideration of the "cruelty" of Sir Thomas Lauder Brunton in injecting digitaline into the veins of dogs, etc., for the purpose of testing its action upon the heart. Dr. Berdoe refers to Brunton's work on "Circulation and Respiration," pp. 103-129. We find that thirteen experiments were conducted, in *nine* of which anæsthetics were used. On page 106 it is stated in the second experiment, "Chloroform was given as formerly." The dog died under the experiment, and in the one succeeding the carotid of a sheep was exposed *without* chloroform, the sheep surviving. In Experiment IV, chloroform was administered as previously to the dog and

* Sir Victor's exact words as contained in the concluding paragraph of a letter to the London "Times," January 5th, 1909, as follows: "Having thus shown that in the first experiment the animal which Mr. Coleridge declared . . . to have suffered torture was, in fact, absolutely unconscious to pain, and that in the second experiment the animal . . . was not only unconscious to pain, but practically dead, . . . it appears to me that to give further consideration to any of his statements is a mere waste of public time."

† See Dr. Klein's amendment to the statement quoted by Dr. Berdoe as above, 3,539, wherein he states that none of his experiments were "of a very painful nature." (Royal Commission on the Practice of Subjecting Live Animals to Experiments for Scientific Purposes, Appendix II, correspondence with Dr. Emanuel Klein and his amended proof as submitted to the commission.)

the animal died (pp. 108-110). Under Experiment X appears this note: "A large dog was operated on. No chloroform was given, as after I had seen an operation conducted on a dog without chloroform, I concluded that the uneasiness they suffered while getting it was worse than they seemed to experience from the operation," etc. As a foot-note to Experiment I* we note: "Dog released from table. Seemed a little stiff at first, but soon ran about as if nothing had happened," etc.

Dr. Berdoe speaks of an article on "Meningitis," by Dr. Martha Wollstein, assistant in the Pathological Laboratory at the Rockefeller Institute. The facts are these: In connection with the investigation of this disease which resulted in producing the anti-meningitis serum, thirty monkeys were used. One to two thousand cases have since been treated with this serum. The effects of the experiment have worked out as follows: whereas, before, there was a death-rate of eighty per cent., those recovering being crippled, now only twenty per cent. die, those recovering being able-bodied. No more monkeys need suffer, but meningitis will exist as a disease just the same, with the difference that its ravages may be checked and sufferers relieved and in the majority of instances cured.

Why should the experiments of men who lived before the time of anæsthetics or antiseptics be quoted, or even those of living foreigners, if Dr. Berdoe's object be to correct existing evils in the State of New York?

Dr. Berdoe describes at some length experiments made by Professor Paolo Mantegazza and published thirty-eight years ago in his book entitled "The Physiology of Pain." He refers us to page 101, from which he quotes: "These, my experiments, were conducted *with much delight and extreme patience* for the space of a year" (*"Queste, mie esperienze, furone condotte con molto amore e pazienza moltissima per lo spazio di un anno"*). We do not understand where Dr. Berdoe gets his authority to translate the Italian word *amore* by the English word *delight*. *Amore* in Mantegazza's sentence cannot be construed to mean *pleasure*. "*Con amore*" when marking a passage in music, for example, means "with special emotion" or "absorption."

Dr. Wertheim of Vienna is quoted, through "The Edinburgh Medical Journal" (1868-9, p. 1,026), as having "saturated the

* Page 105.

bodies of dogs with oil of turpentine . . . setting fire to it." We assume that the Austrian physician would not go to work on the theory that by cutting the wires he might study the current; he could not deaden pain, the effects of which he desired to study. Every one should know that the death-rate from scalds and burns is largely among children of the very poor, and for a long time the immediate cause of death in these cases was imperfectly understood. The skin, of course, normally exudes poison from the system, but when burned, this poison is turned inward and becomes reproductive. Formerly when a quarter of the body surface was burned, death almost certainly ensued; as a result of animal experimentation, even when much more of the skin tract is thus injured, the patient recovers. That Dr. Wertheim was experimenting with a view to solving this physiological problem surely might—in view of the sufferings of childhood—justify the "absolute freedom" in vivisection which Dr. Berdoe so unsparingly condemns.

In conclusion, no one should suppose that men of science have any objection *per se* to inspection of laboratory methods. Certainly if the appointment of competent men would stop the agitation the idea (unless viewed as the entering wedge to abolition) would hardly be opposed. But we have an example of the effects of restriction in England where the science of bacteriology—particularly fruitful in practical results under favorable conditions—is hampered. Lord Lister emphasized the difficulty in stating that in order to continue his studies (the British public, however, showed no lack of disposition to profit by these) he had been under the necessity of going to France. And not only has science been given a setback in England, but restriction has operated to subject such inspectors as do not, willy-nilly, report cases of "cruelty" (?) to the Home Office to systematic misrepresentation and abuse. The position of those in favor of giving research a free hand is that, having accomplished so much in the last fifty years, it should not be deprived of the means to accomplish more. What anti-vivisectionists want is, in fine, not restriction, but prevention; unwittingly, while seeking to protect the lower animals, they would influence a return to conditions under which disease was practically uncontrolled.

GENEVIEVE GRANDCOURT.

THOMAS PLATT.

BY LEMUEL ELY QUIGG.

JUST after Senator Platt died, a man who himself has some reputation as a political "boss" asked me if I thought the Senator could have succeeded in securing and holding control of the Republican party in New York State to-day. Success has to do with many other things than mere ability in the man who is striving for it, and, of course, it does not follow that the abilities which enable him to impress himself upon his place and time would avail him in another situation, nor that the opportunity to enlist such qualities would occur. No man has ever won a front place in the ranks of political leadership, certainly no man has ever held such position for any length of time with a smaller endowment of those gifts that appeal to public imagination than Thomas C. Platt. He could not conduct a conversation, much less make a speech. He was so little magnetic that even the act of shaking hands he performed listlessly and as though it bored him. He never seemed glad to see anybody the most necessary to his plans nor disturbed if he stopped away. Inspiration, even enthusiasm, he regarded with distrust, as a thing that was likely to get a man into trouble and make him lose sight of his bearings. And yet, without apparently the slightest effort, he could bring together elements the most diverse, ambitions the most antagonistic, men who seemed to have nothing in common, who even held one another in frank aversion, and get from them the most remarkable results in community of purpose and effort.

They would come to him from all parts of the State, each with his own particular plan and ambition, some who regarded others as crooked and disreputable in their political methods, others who regarded some as blatherskites and humbugs, he would gather them into one of his "Sunday-schools," and there, one by one,

they would lay down their grudges, their schemes, sometimes what they were pleased to call their principles, and go away bound hand and foot and heart and head, bound with chains of their own forging, bound without reserve, with unanimity and with absolute sincerity to his undertaking and his method; and yet, throughout the conference, Mr. Platt himself would not have spoken as many words as are contained in this paragraph.

Men the most perceptive are wondering yet how he did it. It was never a personal appeal; there was never at any time the suggestion of bargain. But somehow or another there would invariably come over these assemblies of party-leaders, and as the discussion went on and as each pointed out the futility of the others' plans, an instinctive feeling that Mr. Platt's way, when it should be announced, would prevail; and it always did. It was not always precisely the plan or the method he was entertaining when he summoned the conference. He had a genius for getting at the best sense of the company, and when everybody was tired, exhausted, weary of the whole matter, conforming it to his own principal end, so that, in the main, he had accomplished what he wanted without compelling in any one's breast a sense of personal humiliation or defeat.

This rare and curious ability, as inscrutable in its nature as it was constantly bewildering in result, describes Senator Platt's relations with all manner of men, whether they were district leaders, newspaper reporters, men of business and affairs, or his colleagues in the Senate, or his associates in the national committees and councils of his party. Back of it, of course, was the fact that his plans always had a feasible look and a certain carrying-power that enabled all kinds of men to see each how he might turn it to his own account. So that with no gift of expression, for he never could argue the point, with no private fortune, for there never was a time in Senator Platt's life when the contemplation of his balance-sheet gave him any satisfaction, with no very clear conception of the trend of public sentiment on the issues of the day, with no very keen respect for popular opinion, even when he recognized its strength, in disposition retiring, painfully sensitive, often irritable and never widely sympathetic, and with every important newspaper treating him and his projects in a varying spirit of scorn and contempt, and hostile always, he contrived to become the leader of a successful party in the greatest State of

the Union, where the margin of votes between the two parties was normally narrow, where the independent vote was large, organized and powerful; and holding this leadership for a period of more than twenty years, he made himself in every national convention of his party a central and often a dominating figure.

Morton, Black, Roosevelt and Odell became Governors of New York by the finger of his appointment. Almost a full score of succeeding Legislatures obeyed every indication of his will, and no Republican committee or convention in any part of the State considered itself superior to his judgment. What he ordained, moreover, and this must be the test of its merit, what Legislatures at his bidding enacted, what conventions at his direction expressed in platforms and tickets, during at least fifteen years and until he became physically feeble and unable to give attention to things, the people steadily endorsed at the polls. Excellent individuals said it was all very wrong, denounced it as a system and ridiculed it as a fetich, but I smile now to think of the number of them I have run across at 49 Broadway, looking very pleasant as they explained to him something that they wanted for themselves. Schism, even revolution, broke out from time to time and looked very formidable in the newspapers, at the Union League Club or in meetings of self-constituted committees, but by none of these was his power broken. If it seemed otherwise, his friends know that age and the infirmities of nature had weakened his hold of the reins long before they were shaken out of his hands.

That the agencies which have come to assign men to the places they must permanently occupy in public estimation will ever concede to Senator Platt an honorable distinction is, doubtless, too much to expect. He paid small tribute to them while he lived and expected nothing of them when he should die. His contempt of the newspapers fully equalled theirs of him. He used to call them "vehicles of misinformation," and constantly consoled himself for what they were saying of him and his policies with the reflection that "there is a whole lot of truth that gets around the world by word of mouth." It is the common understanding, I suppose, that this man's conceded power was builded on the use of money and patronage, and that notion will probably never yield to the fact that patronage had gone and money had become ineffective at elections long before his power was es-

tablished. Civil-service reform and the secret ballot had substantially destroyed the value of office-getting influence and the utility of corrupt practices on Election Day, at a time when Mr. Platt's political fortunes were at their lowest ebb. That he was jealous of the right to decide upon whom the distinction should fall of holding prominent places in the public service is not denied. It is equally true that he did what he could to provide funds for the use of the organization on Election Day, but the exercise of his influence to control for this or that friend the appointment to those few places that remained out of the classified services was a distinct element of weakness to him from the day of his compact with General Harrison, at least to that of his second election to the Senate; and he never was able to obtain money enough to pay for the services on Election Day of as many as four workers to a polling-place. There never was an electoral contest in New York State during the period of Platt's domination when his organization had money enough to pay for the adequate circulation of literature and the expenses of an effective speakers' bureau.

The forces, to the maintenance of which his power is commonly imputed, were not its causes, but merely its manifestations. He came into the leadership because, at a time when the party was weak, when its voters were both listless and broken into factions, when its organization was disrupted, and those who might have led had given over their opportunity and had withdrawn themselves into discouraged retirement, Mr. Platt had the motive, the interest, the ambition and the personal force to draw to himself, first in plans to guide the Legislature, and later in plans to control the State Committee, a little band of trained, able and adventurous politicians; and he held the leadership because the indifference of the party and of those who were or might have been its leaders in those days of party weakness allowed the plans of this small band of politicians to succeed. Those small, early successes, first in the Legislature and in matters that did not seem of the greatest importance, later in the State Committee and in matters that did not seem at the time to include its control, led by the mere force of gravitation to rapid accessions in one Congress district after another, until, as Senator Platt himself expressed it, "one day everybody, friend and foe, began to call me 'boss.'"

It was the defeat of Arthur, the nomination of Blaine, the success of Cleveland, the State domination of Hill, those four years of Republican weakness from 1884 to 1888, that gave to Platt his opportunity, and he grasped it when he led the delegates of the State of New York into Harrison's camp and made Harrison's nomination a fact.

After that event and until, in sheer physical weakness, he began to weary of it all, his leadership could not be successfully disputed, for reasons that were wholly personal to himself and were the natural elements of his character and his title to fame and position; and I state them in the order of their importance as they appeared to my observation of him.

The first was his unfailing good judgment at critical moments and in things of the highest importance. At such times and in such matters he would seem to have little or no animation, but he knew just what he was going to do, and nothing changed his purpose or seemed even to divert his attention. The heathen raged and the people imagined a vain thing, but he did not appear to know what they were talking about. If the idea of failure, of not being able to control the machinery necessary to success crossed his mind, nobody could see it. In little things, on small occasions, he was often arrogant, peremptory, irritable, but when he faced a crisis or when he had a really big undertaking on his hands he was quiet, conciliatory, open to any suggestion, ready for any concession that did not compromise or embarrass the ultimate at which he was aiming. That his judgment, both of measure and of means, was good is proved by the fact that the things he did—I shall speak of them specifically in a moment—are permanent. They endure so well that nobody seriously offers to change them.

The second of the qualities that he possessed in a remarkable degree was patience. He was always prompt, but never in a hurry. Waiting, when he knew what he was waiting for, never tired him. When his enemies were exhausting themselves in premature plunges, he was sitting still, attentive to see when the time was ripe. There was never a time from the day he and Mr. Conkling left Albany in disgraceful defeat when his eyes and his resolution were not fixed on that seat in the Senate. Twice he might have tried for it, and once, when Frank Hiscock was elected, with what his friends believed was a good chance

of success; but an election to the Senate was not all his ambition demanded. He had determined to achieve an election so nearly unanimous, so little the subject of contest, either on his own part to get the place or on anybody's else to keep it from him, that friend could proudly claim and foe might not deny that it was the seal of his undisputed leadership. This was the secret of his refusal to become a candidate for Governor in 1896. It was a Presidential year. McKinley had been nominated, and long before the State convention met the assurances were complete of an overwhelming Republican victory. He realized also that to take the field for Governor and to be elected by the people would be the best answer he could make to all the charges that had ever been brought against his personality and his title to chieftainship in his party. He was conscious, moreover, that his was an executive ability, and that he could do more and do better in the office of Governor than in that of United States Senator. But his habit of tenacious purpose and patient pursuit was so strong in him that he could not bring himself to yield even to a keener ambition, and to accept a certain and immediate opportunity in place of an uncertain and remote one. It is not often that the act of Cæsar putting aside the crown comes within one's personal observation, but the little group of party-leaders who sat with Mr. Platt in the conference room at Worden's Hotel, at Saratoga Springs, at the Convention of 1896, saw it in highly dramatic detail.

Mr. Platt's third important characteristic was his loyalty. It is comparatively easy for a man whose obligations are limited to maintain a reputation for fidelity, but it is another matter when he is at the head of a great political organization, almost every important member of which, consciously or unconsciously, is looking for some form of appreciation and thinks that it merely awaits his complaisant nod. In maintaining his position with his friends and supporters, Mr. Platt's distrust of articulate expression stood him in good stead. What he said and what he did not say were equally plain. Subsequent explanation was rarely called for, and in equal proportion he gave and accepted confidence. What he said he meant, and he went on meaning it, no matter how greatly the conditions changed nor how difficult it became to give effect to his meaning. He not only meant it and kept on meaning it, but he remembered that he meant it, and remembered it

especially well at the right time. The sincerity that he impressed upon others he imputed to them; men saw that he believed them, and it was remarkable how rarely he was deceived. Persons the most casual became guarded, careful and precise in their conversation with him. Dishonest ones, those who came to him with the purpose of misleading him, saw at once that if they did it this time they would never have the chance of doing it again. He was more sensible of this gift, the gift of begetting and holding the confidence of men generally, than of any other with which he was endowed. It was idle for Jones to tell him that Smith was about to go astray after he had himself received Smith's satisfactory assurances; and Smith's chance of arousing suspicion against Jones was equally slim. It constantly happened, indeed, that both Smith and Jones were right, each in his judgment of the other's perfidious purpose; and yet, when the test came, Mr. Platt's confidence in them and in what they had said to him, and his look of mild surprise when they began to hint at some other intention, finally held them both, in spite of their mutual aversions, to him and to their original promise.

I shall not claim that Mr. Platt's ideals were the highest to which a noble imagination can attain, but they were decent and there was no humbug about them. He had no sympathy with graft or grafters, but he did not affect to believe that everybody was a knave whose purposes and ambitions happened to conflict with his; and it was his fortune, and often his misfortune, to be mentally incapable of thinking ill of a friend. It is conceded by his most implacable enemies that the notion of pecuniary profit never entered into Mr. Platt's calculations or conduct, and, himself free of such motives, he was slow to suspect them of others. Count it a virtue or count it a fault, it was a phase of his loyalty and an element of his nature that he had no room in his mind for friendship and suspicion at the same time. Of his friends he never inquired their reasons; his mind was sufficiently occupied considering whether what they wanted was a thing that he could promote consistently with his other obligations.

His fourth distinguishing characteristic is not expressible in a single word. It is not to be called charity. It was not precisely a forgiving disposition. It was rather a trait which led him to consider that the retention of an enmity, the harboring of a grudge, the keeping alive of a resentment after the incident

in which it had originated had passed and gone, was scarcely worth his while. He could be intensely angry, bitter and vindictive while the fight was on; nor would his opinion of his adversaries materially change when it was over; but when he had won out, he was always ready to shake hands and, at times, to do something more substantial. To this quality in Senator Platt many virtuous persons owe their present eminence. He did not quite forgive nor quite forget, but it seemed to him that there was a good deal of room in the world and that he only wanted his fair share of it. He had two definite sentiments, perfectly simple and easily understood, not gloriously lofty, but not at all to be despised—faith in the Republican party and a keen enjoyment of the sense of power. For the satisfaction of these he was ready to give and take in friendship and in fight.

With this nature, with these motives and with this equipment, Senator Platt, in the course of his Republican leadership, did three things. He took the liquor question out of party politics and settled it in New York State in a way that quieted the Prohibitionists, removed from the Republican party the menace of their activity and so connected the sale of liquor with the payment of the expenses of government as permanently to discourage the further agitation of the liquor question in this State. He created the Greater New York. He prevented the nomination of McKinley on a platform that would have conceded something to the advocates of free silver. And the period that was distinguished by his accomplishment of these three things, a period of nearly twenty years, knew no successful resistance to his leadership in the Republican party in New York, and the acts of that party under his leadership met with public endorsement at the polls.

The idea of a uniform tax on the sale of liquor, and of a tax which should subject it to State supervision, while at the same time continuing to localities the support they had formerly derived from the traffic, came to Senator Platt, I must admit, as the result of Governor Hill's destructive criticism of the high-license legislation. Governor Hill's statement of his objection to a law that tolerated the sale of twenty-cent damnation in a gilded palace, where the nude pictures were tapestries and oil-paintings, but which rendered impossible the sale of five-cent damnation in a dingy basement, where the suggestive ornaments were mere chromos, set Senator Platt at work, and he set John Raines at

work to devise a bill that would not be subject to this democratical criticism, a bill that would destroy the local excise boards, and the relation between them and the police on the one hand and the saloons on the other, and a bill that would be so profitable to the State and to the cities and counties, that its repeal would necessarily raise the whole question of State and local taxation. I do not mean to take away from Senator Raines and his associates in the Legislature any of the credit that belongs to them for this remarkable piece of legislation, but I mean to accord to Mr. Platt the credit of having perceived, with whatever assistance he may have had from the results of legislation elsewhere, that it was this kind of liquor law which in New York State would provide a practical permanent solution of the liquor question, would take the saloon power away from Tammany Hall in New York City and would paralyze the Prohibitionists by throwing on them, in their advocacy of the moral side of the question, the necessity of finding a substitute in revenue-producing legislation for this new tax on the sale of liquor. He was reaching for a law that would lift the burden of any tax whatever for State purposes from the farms and village homes throughout New York. He knew that if he got that, and if, at the same time, he could weaken Tammany's control of the saloon-keeper's activity on Election Day, nothing less than a Democratic tidal wave could defeat him and his organization in the State of New York. And he was right about it.

I do not mean to detract an iota from the just fame of Andrew H. Green in giving to Senator Platt the credit of creating Greater New York. But Mr. Green and many such noble men might still be crying from the housetops, and New York would still be only Manhattan and the Bronx if it had not been for Mr. Platt. The Republican party up the State was hard to convince of the desirability of welding together these communities, and nothing Mr. Platt ever undertook cost more effort or gave him more anxiety than this legislation. That it is permanent can hardly be doubted, but it remains, as to its wisdom, the most questionable of his personal achievements.

In Mr. Platt's own view, the results of his work on the occasion of the first nomination of McKinley were the most gratifying of his entire political career. When the National Committee met to call the Convention of 1896, and for a time there-

after he really believed that he and his allies could defeat McKinley, and his hope was to nominate Thomas B. Reed, for whom he entertained the most profound admiration. He knew that he was beaten, however, long before the convention met, and it may be that the instinct which led him to continue his opposition, nevertheless, and to keep Quay, Lodge and the other State leaders who were in the combination to theirs was not especially praiseworthy. It probably had no higher origin than the notion that he could make better terms with Mr. Hanna after the convention and before Election Day than he could at any time before the convention with Mr. Hanna, knowing that the nomination was secure. But Mr. Platt came to regard his course of conduct in this respect as providential. There is no use denying that the financial plank which the McKinley managers intended to adopt was a straddle. There is no use denying that Mr. McKinley's record in Congress had been a straddle. There is no use denying that the Republican party in Congress, and up to the very moment when Thomas C. Platt, Henry Cabot Lodge and Matthew Stanley Quay declared that if the proposed plank were actually reported they would bring in a minority resolution and vote Pennsylvania, New York and New England against the platform—there is no use denying that up to that very minute the Republican party had wobbled on the financial issue and had conceded enough to the advocates of free silver to give point and face to their argument. I don't mean to say that Mr. Hanna was at heart any less a gold-standard man than Mr. Platt was, but Mr. Hanna had on his shoulders the responsibility of McKinley's nomination, and the delegates from every mountain and prairie State were whispering caution, telling him that the words "gold standard" in the platform would lose their States to the Republican party. Mr. Platt met this with that hard-set resolution which had the effect of making him look ten times stronger than he really was. He couldn't argue, so he didn't. He simply said to Mr. Hanna, and said it to him directly and personally: "You must bring in a gold-standard plank or you must reject one; the responsibility is yours, the votes are yours; do what you think best." If he had never done anything else than this, if his title to public credit began and ended here, it would be enough to make him a respectable figure in American politics.

LEMUEL ELY QUIGG.

THE CRISIS IN GREAT BRITAIN.

BY SYDNEY BROOKS.

"THE homely old phrase," said the "Times" of April 2nd, "'All at sixes and sevens' best sums up the situation." I have no fault whatever to find with this diagnosis of the present state of British politics. They are, in sober fact, an illimitable chaos. The only sure and incontrovertible thing about them is that there must shortly be another General Election, a General Election which nobody in or out of Parliament wants, yet which every one agrees is inevitable. It may even have come before this article appears in print. It may be held over until May and compete, if anything could compete, with the overwhelming welcome that is being prepared for Mr. Roosevelt. It may even be postponed till June. But that it is a certainty of the near future is a fact which all parties accept with such resignation as they can muster. The gloomier prophets draw an even more disheartening picture. They assert that the next appeal to the country will produce, like the last, an indecisive result; that the people are not likely to alter in May or June the verdict they registered in January: that the Irish Nationalists will return once more from the polls the masters of British politics; that all the confusion in which the country now finds itself will be renewed and duplicated; and that the only way out of the tangle will be yet another General Election—the third in the course of a single year. That is an appalling prospect, but no one would venture to call it incredible. With British parties and policies in their existing condition nothing is incredible. The Lords were warned that if they rejected the Budget they must inevitably raise issues, the settlement of which would plunge the nation for many months, possibly for many years, to come, in a whirlpool of domestic distraction. The warning was disregarded,

and the country in consequence is to-day, and will long remain, in the throes of a revolution, a peacable revolution, but fraught, none the less, with results of incalculable significance to the British State.

With the interplay of the various elements and forces that constitute a crisis that has no precedent in British history, Americans can hardly be expected to concern themselves. To show why it is that a Government with a paper majority of 124 is yet impotent and discredited; to trace the cleavages in the Cabinet and in the party between those who think it sufficient to restrict the legislative powers of the House of Lords and those who think that the Upper Chamber should also be reformed; to explain all that has followed from the fact that the Irish Nationalists, who compose two-thirds of the Government's majority and can at any moment convert it into a minority by voting in the Opposition lobby, while as zealous as most Liberals, and more zealous than a good many, for the abolition of the Lords' effective veto on legislation, are also hostile to the Budget, which all Liberals and all the Labor men look upon as a point of honor to pass; to estimate the extent to which Mr. Redmond's influence and strategy have been affected by the rise of the O'Brienites in his rear and by the virtual bankruptcy of the Nationalist exchequer; to explore the hidden but potent effects of the unwillingness of the Opposition to assume office in the event of Mr. Asquith's resignation; to unravel, in short, the skein of a political situation in which every day produces a new complication—all this, while an engrossing task for an observer on the spot, would scarcely, I imagine, interest and would almost certainly confuse lookers-on three thousand miles away. I pass by, therefore, much that forms the staple theme of newspaper writing and lobby gossip—the manœuvres, the deals, the negotiations with this section and that, and so on—and devote this article to some of the broader features of the crisis.

Its first and most momentous development is that the Lords, by voluntary resolution, have signed away their legislative birthright. On March 14th Lord Rosebery, speaking with the weight both of an ex-Premier and of one who has consistently advocated the reform of the House of Lords and whose action, therefore, could not be assailed at any point as a mere move in the game of party, submitted the following motion:

That the House do resolve itself into a Committee to consider the best means of reforming its existing organization, so as to constitute a strong and efficient Second Chamber; and in the event of such motion being agreed to, to move the following resolutions:

(1) That a strong and efficient Second Chamber is not merely an integral part of the British Constitution, but is necessary to the well-being of the State and to the balance of Parliament.

(2) That such a Chamber can best be obtained by the reform and reconstitution of the House of Lords.

(3) That a necessary preliminary of such reform and reconstitution is the acceptance of the principle that the possession of a Peerage should no longer of itself give the right to sit and vote in the House of Lords.

Of these resolutions the third was, of course, by far the most important. After a brilliant debate, it was carried by 175 to 17, the first two resolutions having been adopted unanimously. It is true that those who took part in the division represented less than a third of the entire House, that Lord Lansdowne declared that it was possible for any Peer to vote for the resolution "with the full intention of afterwards proposing that the House should consist entirely of hereditary Peers," that between adopting such a resolution and agreeing upon a definite scheme of reorganization there is a very wide gulf; and that the temper of the debate showed very little sympathy with the objections which the Liberal party takes to the House of Lords, namely, that apart altogether from its composition and the hereditary principle, it is a permanently partisan Assembly preponderantly in favor of one party and one special group of interests. Nevertheless, the fact that the Lords have resolved that the right to legislate shall no longer be an appurtenance of a Peerage is a fact of the utmost moment in British Constitutional history. The primary idea, as Freeman called it, of the English Peerage, the characteristic that has differentiated it from the ordinary type of nobility in other lands, where the aristocracy rests on rank and privilege alone, is its political power. For the Lords to divest themselves of this power, to go on record with the admission that a Peer merely because he is a Peer should no longer be entitled to sit and vote in the Upper Chamber, is therefore a development of the highest significance. All Englishmen felt, when they saw the

figures for and against Lord Rosebery's motion, that whatever might be its immediate outcome, something had been done which could never be undone, and that the discussion of the House of Lords question must henceforward proceed on the basis of the acknowledgment that the hereditary principle was outworn and that the time has come to modify or discard it.

And yet the action of the Lords in thus passing what is virtually a vote of no confidence in themselves has something of the aspect, as the Liberals have been quick to point out, of a *non-sequitur*. Less than five months ago they felt strong enough to violate all tradition and all the accepted axioms of the Constitution by refusing to pass the Budget. To-day they make the collective admission that the principle which for centuries has governed their composition must be diluted or abandoned. Less than five months ago they wrought a revolution. To-day they confess themselves unfit to carry on the ordinary business of government. And in the interval what has happened? Have not the Lords been hailed as the saviors of their country? Has not every building in the kingdom echoed with glorifications of the hereditary theory and with gratitude to the Lords for daring to do their duty? Did they not refer the Budget to the people, and have not the people abundantly justified their boldness by electing a House of Commons that contains a considerable majority hostile to the Budget? Did not the Peers themselves venture on the platform, extolling the virtues of the Upper Chamber and contrasting its calm impartiality with the immoderate impulses and the gross partisanship that afflict the House of Commons? Why, then, this sudden conviction of unworthiness? Well, there are several reasons for it. In the first place, the more far-seeing Peers realize perfectly well that the British democracy will not allow the power of the purse, and with it the power of unmaking Governments, to be vested in an Assembly constituted as the House of Lords now is, an Assembly that stands altogether outside the representative principle, that is wholly non-elective and indissoluble and that can never, therefore, be called to account. In the second place, all the Peers who in the past have taken up the question of reforming the House of Lords from within have been stimulated to fresh activities by the prospect of having it reformed from without. In the third place, the Peers find themselves confronted by a House-of-

Commons majority of 120 Liberals who, if they are at odds on other questions, are unanimous in their determination to abolish the Lords' veto on finance and restrict it on everything else. The success of Lord Rosebery's resolution was, therefore, in part the result of an uneasy conscience, in part of a sincere belief in the necessity of reform, and in part of a shrewd perception that in the long run the House of Lords could only retain its legislative powers intact by changing its composition. How far Lord Rosebery will succeed in the infinitely more difficult part of his task —that of elaborating a scheme of reorganization that will be acceptable to the Peers, that will satisfy moderate opinion in the country and that will be something more than the "sham" and the "coat of democratic whitewash" that the Liberals are pronouncing it to be—though I may add that it has not yet been produced and that they cannot, therefore, know anything about it—remains to be seen. What, however, is already certain is that the ex-Premier, by his courage and prescience, has contrived to pit the reform of the House of Lords against the abolition or restriction of its legislative powers, and that it is along these two lines that the battle henceforward will proceed—the Conservatives, of course, siding with the reform of the Upper House from within and the Liberals being mainly intent on depriving it of the power to reject any measure that has passed the House of Commons in three successive sessions.

Almost every journal and politician in the country has some scheme or other to propose for reforming the House of Lords and determining the powers it is to possess. I do not propose to enumerate these multitudinous essays, much less examine them. But it may, perhaps, be of service if I attempt to indicate very roughly what I conceive to be the preponderant opinion of the country on the general question. The nation, I believe, has pretty well made up its mind that the House of Lords needs reorganizing, with a view to diminishing its size, to getting rid of its indifferent members, to correcting its political partisanship and its excessive representation of the views and interests of a particular class, and to bringing it more directly under the operation of public opinion. But it has no desire to erect a brand-new Second Chamber or even to make the House of Lords preponderantly elective by popular vote. The instinct of Englishmen has always been to defer change till the last possible mo-

ment and then to effect it gradually and in small instalments. I see little reason as yet to think that this instinct is exhausted. The country, as a whole, wishes to preserve and not to destroy the historical continuity of the House of Lords, and, at the same time, to bring it rather more into line with the instincts and requirements of a modern democratic State. If, for instance, the House of Lords were to be reduced to a membership of, say, 300; if two-thirds of these were to be elected by the Peers from among the members of their own order; and if the remaining one-third were to be nominated by the Crown or elected by groups of constituencies or of local bodies for the period of each Parliament—if something of this kind were to be done, the British people, in my judgment, would be well satisfied. The result would not, of course, be an "impartial" Second Chamber—there never has been or can be an impartial Second Chamber. It would not be a Liberal Second Chamber—a Liberal Second Chamber is all but a contradiction in terms. But though its tone would be rightly and preponderantly Conservative, it would be freed to some extent from its subjection to the Conservative party; it would be strong in the consciousness that a large minority of its members were drawn at first or second hand from the people; it would be able—and this is what the country wants—to assert itself in the interests of the nation against the excesses of both parties.

As to the powers that such an Assembly should possess, I think one may fairly lay it down that the majority of Englishmen wish them to be real powers—powers not only of criticism, amendment and delay, but of rejection. Great Britain will never tolerate any plan that establishes the unchecked omnipotence of the House of Commons. Neither will it permit the House of Lords to become the predominant partner in the State or put it in a position to thwart the settled will of the country. But that the Upper Chamber must have the right to refer to the electorate measures of far-reaching import that have not received the approval of the nation, seems to most Englishmen as vital as that it should cease to oppose a measure that has once been ratified by the people at the polls. In other words, the country, so far as I can read its mind, is content that the Lords should continue to retain the powers it already possesses. It knows that the characteristic of the House of Lords hitherto has been not tyranny,

but timidity; it is well aware that on many occasions it has proved a truer exponent of the national will than the House of Commons; and it is less disturbed by the Lords' occasional rejection of Liberal measures than by their uniform and uncritical acceptance of whatever Bills a Conservative Government may please to submit to them. It concludes, therefore, that the Upper House, and especially an Upper House reformed on the lines already indicated, may safely exercise the powers of not alone revising, altering and delaying the measures sent to it, but also of rejecting them and of referring them to the supreme tribunal of the people. But should this apply to measures of finance? Should the Lords be permitted to keep the right of rejecting the Budget and of thus forcing a dissolution and bringing the machinery of Government to a standstill? I find it difficult to say what the country thinks on this part of the problem. Personally I incline strongly to the view that the financial veto of the Lords should be not merely restricted, but abolished; and such I believe, but dare not confidently assert, to be the view which will ultimately prevail. Apart, however, from this, I detect no real movement of opinion in favor of cutting down the legislative prerogatives of the House of Lords.

Assuming this diagnosis of public opinion to be substantially correct, let us now consider what it is the Government proposes. On March 29th Mr. Asquith moved: "That this House will immediately resolve itself into a Committee to consider the relations between the two Houses of Parliament and the question of the duration of Parliament." It was announced, at the same time, that the resolutions to be proposed in Committee were three in number. The first declared the expediency of disabling the House of Lords by law from rejecting or amending a Money Bill; defined a Money Bill; and left it to the Speaker to decide whether any given measure came within the definition. The second resolution restricted the powers of the House of Lords as respects Bills other than Money Bills, "so that any such Bill which has passed the House of Commons in three successive sessions, and having been sent up to the House of Lords at least one month before the end of the session, has been rejected by that House in each of these sessions, shall become law without the consent of the House of Lords on the Royal Assent being declared, provided that at least two years shall have elapsed between

the date of the first introduction of the Bill in the House of Commons and the date on which it passes the House of Commons for the last time." This resolution also stated that a Bill should be considered as rejected by the House of Lords, unless it passed either without amendment or with only such amendments as both Houses might agree upon. The third and final resolution limited the duration of Parliament to five years.

The debate on the motion that the House should resolve itself into a Committee to consider these resolutions reached an extraordinary high standard even for an Assembly with the traditions of the House of Commons. Mr. Asquith's motion was eventually adopted on April 4th by a majority of 106—practically the full strength of the Government forces; and the House, as I write, is preparing to discuss the resolutions one by one. That they will all have been carried by the time these lines are read may be taken for granted. When carried they will be sent at once up to the House of Lords, and the Lords will either reject them outright or simply decline to consider them until the Bills which are to be based upon them have also been passed by the Lower House. In any case, it will be made perfectly clear that the Lords have no intention of signing the warrant for their execution. What will the Government do then? Will Mr. Asquith resign office, dissolve Parliament or do as Mr. Redmond wishes him to do—that is, approach the King with a request for guarantees that the resolutions and the Bills founded on them, if endorsed by the people at the polls, shall become law? Nobody knows. Nobody can know until, for one thing, it is seen whether the Irish Nationalists have been propitiated into allowing last year's Budget to pass. If they remain obdurate on that point, the Government may be thrown out when the motion for allotting a specified portion of Parliamentary time to the discussion of the Budget comes to be debated in the House of Commons.

The most hardened political prophet might well hesitate in the face of the innumerable possibilities of the situation to venture on any definite forecast. For myself I indulge in no predictions as to how or when or in what form the fluidity of the present chaos will ultimately solidify. My purpose for the moment is merely that of pointing out the lines along which the greatest Constitutional crisis that has confronted England for

two hundred years seems destined to proceed. On the one hand, there are the Lords, backed by the Conservative party, formulating a scheme for changing the composition of the Upper House, but tenaciously resisting any invasion of its legislative powers. On the other hand, are the Liberals insisting that the Lords shall be forbidden by statute to amend or reject a Money Bill, and that any measure passed in three successive sessions by the House of Commons shall become law at the end of two years from the date of its first introduction, whether the Lords consent or no?

Here obviously are issues and policies that go down to the very roots of government, and I shall hope in a future article to examine their significance and their feasibility or otherwise in the general scheme of the British State.

SYDNEY BROOKS.

NEW BOOKS REVIEWED.

BIOGRAPHY.

To his various and valuable studies in Italian life and history, Mr. Edward Hutton now adds a most interesting and well-written "Life of Boccaccio."*

Italy led the renascence of learning, of literature and high art in Europe, and the study and knowledge of Italian sources is the natural beginning of all knowledge of English literature, of all European civilization and art; in fact, Chaucer's debt to Boccaccio is too well known to need repetition, and the fact that the Reeve's tale and the Franklin's tale are as likely to have derived from the French "Fabliaux" as from Boccaccio himself does not lessen the debt. Griselda walked direct out of the "Decameron," and the Knight's Tale amounts to a transcription of the "Teseide."

"The Study of an Heroic Life" Mr. Hutton calls his book in his dedication, and an heroic life it is; a prolonged struggle with poverty, neglect, lack of appreciation, unsatisfactory human relations and—may one add, perhaps?—a total lack of due self-appreciation. For to the end of his life Boccaccio was unaware of his own standing as the peer of the Petrarch, in another field of endeavor, of his own pre-eminence as the originator of a classic and elegant prose style, as the father of modern humanism. "Full of laughter, humility and love," as his biographer says, Boccaccio in some sort prefigured the modern attitude toward life, that feeling that life itself is so much bigger than men, that humanity's place in the procession of events is, after all, but a minor one, and that our part in the universe is not one to make

* "Giovanni Boccaccio." By Edward Hutton. New York: John Lane Company, 1910.

us too haughty. The "Decameron," the great and various book by which his name is known, is, after all, but a small portion of his colossal life labor in the Latin and in the Tuscan tongues. His "*De Montibus*," "*Sylvis*," "*Fontibus*," "*Lacubus*," "*Stagnis seu Paludibus*," "*De Nominibus Maris Liber*," "*De Casibus Virorum Illustrium*," "*De Claris Mulieribus*," "*De Genealogiis Deorum*" by themselves would form a gigantic life-work of learning. In these works, however, he is chiefly a follower and a disciple of Petrarch, taking, as did Bacon after him, "all knowledge for his province" and ordering and setting together all those notes which are no less than a basis of modern culture. But it is as the creative author of "Fiammetta" and the "Decameron" that his name will live forever. Scholars make a link in the chain of human knowledge and have no separate names, but a creator is a sparkling jewel in the chain, marked forever as a break in its uniformity.

Born in all probability in 1313 in Paris, of a father who was a Florentine banker of importance and later on one of the five *Consiglieri*, and still later a representative of the Società de Bardi in Naples and well known to King Robert, very little is known of Boccaccio's mother. Mr. Hutton thinks the evidence leans to declaring her a girl of Paris belonging, perhaps, to the *haute Bourgeoisie*, and it is a mooted point whether his father and mother were ever married. Supposedly biographical passages in the "*Filocolo*" and the "*Ameto*" might point to this conclusion. At any rate, whether or not a natural son, Boccaccio's father to the end seems to have had forethought and care for this son who upset all his plans for himself and failed in every way to carry out the father's preconceived notions of either a commercial or diplomatic career.

The main point in Boccaccio's career was his love for Fiammetta, a much more human and realistic incentive to poetry and thought as it is handled by Mr. Hutton than it appears in the pages of John Addington Symonds's book on "Boccaccio as Man and Author." After the manner of those days, Fiammetta appeared to Boccaccio in a dream when he was no more than a lad of ten years.

"As I passed on my way there appeared to the eyes of my mind a most beautiful girl, in aspect gracious and fair, dressed all in garments of green, which befitted her age and recalled the ancient dress of the

city; and with joy she gave me welcome, first taking me by the hand, and she kissed me and I her; and then she said, sweetly, 'Come where you shall find good luck and happiness.'"

It was seven years later that he met Fiammetta in the flesh and crowned his youthful and lighter loves with a lifelong passion and devotion far from bringing nothing but luck and happiness, but doing more, perhaps, than any other external factor to turn an exuberant youth into a great man of letters.

Mr. Hutton's book is faithfully and well done, and is the more interesting that there is practically no other English biography of Boccaccio's to compare it with except that of Symonds's, which was done with insufficient data and facilities. It is, therefore, the first real attempt at a complete and reliable English biography of the great subject, and whether in the end it turns out to be the authoritative biography or not, it is informing and interesting reading.

One word of appreciation is due to the quaint and interesting woodcuts reproduced from illustrations of the early editions of Boccaccio. Mr. Hutton, in his preface, deplores the fact that he could not make of his illustrations a real chapter on Boccaccio and his relation to the fine arts. The matter he found too big for the present work; but the quaint and early woodcuts, many of them dating back as far as the early fifteenth century, add charm and value to the present volume.

Perhaps the frequent pictures of the great and unamiable Dr. Johnson* lend the chief value to this picture of life. A brilliant and unhappy woman, so well known as a *sàlonière* that to relinquish that vocation made her appear to her contemporaries at least finally disgraced, Mrs. Thrale was, in despite of her biographer's able defence, not a lovable woman. She failed as a wife, as a friend and as a mother, and that she was herself uncomfortable and unhappy seems hardly an adequate excuse. Having made a loveless marriage, her cool and impartial judgments of her husband are more amusing than commendable; her careless relation to her daughters, whom she always speaks of as "the young ladies," is unnatural, and she was not above making scenes

* "Dr. Johnson and Mrs. Thrale." By A. M. Broadley. New York: John Lane Company, 1910.

in her own house when her husband's attentions to other ladies annoyed her.

"I retired [from her own dinner-table!] to the drawing-room, where I contended an hour or two with my vexation . . . till Johnson and Burke came up. On seeing them, I determined to give a *jobation* to both, but fixed on Johnson for my choice, and asked him if he noticed what passed, what I had suffered, and whether, allowing for the state of my nerves, I was much to blame. He answered, 'Why, possibly not; your feelings were outraged.' I answered: 'Yes, greatly so; and I cannot help remarking with what blandness and composure you witnessed the outrage. Had this transaction been told of others your anger would have known no bounds, but toward a man who gives you good dinners you are blandness and meekness itself.'"

At this, she comments, Johnson colored and both the men looked foolish. On the whole, probably Miss Seward was justified in writing that Johnson's love for Mrs. Thrale was composed of "cupboard love, platonic love and vanity tickled and gratified from morn to night by incessant homage." "He loved her, in fact, for her comfortable home, her good table, her coach and her library, and she loved him for the literary *éclat* his friendship threw about her home." The larger part of this volume is taken up by Mrs. Thrale's heretofore unpublished journal of the tour through Wales with her husband, daughter and Dr. Johnson, during which, she vivaciously observes, she had to be polite for four. The diary is full of detail, charm, quick observation and keen wit and compares favorably with the more ponderous record of the great doctor.

As we turn the last page of Professor Woodberry's "Life of Poe"* and meditate upon what he has told us, the book seems to possess one dominant tone—it leaves a definite feeling of justice done, a careful and exhaustive judicial scrutiny of the facts and an unbiassed charge to the jury to weigh with scrupulous care the evidence before returning a verdict for or against Poe. Professor Woodberry has been studiously alert in avoiding many of the pitfalls into which other biographers have fallen, probably the greatest of which is allowing a personal enthusiasm and admiration to creep in and so warp the judgment that the reader receives the testimony of the author with a certain hesitancy. Pro-

* "Life of Edgar Allan Poe." By Professor Woodberry. New York: Houghton, Mifflin Company, 1910.

fessor Woodberry does not range himself on Poe's side, "right or wrong," to fight with blind idolatry. Had he done so he would have lost many battles which he has now won.

Looking at a list of our eminent men of letters, it is difficult to select one more urgently in need of an intelligent, diligent and unbiassed biographer than Poe. And looking still more closely, the retrospection forces upon us the conviction that it would be difficult to select another where the path of the biographer is strewn with so many and varied obstacles. Poe was so unsatisfactory, his life formed such a network and snarl of contradictions, that it seems almost impossible to unravel it. Hardly a single cord can be loosened and followed without rendering the entire mass more tangled and confused. The events of his life bring to mind those Æschylean tragedies in which man is subordinated to a supreme conflict; and his actions, while apparently voluntary, are nevertheless but the exponents of powerful opposing agents swaying him to an irresistible and predestined course. Poe appears as if struggling in some terrific maelstrom (such as he himself has so vividly described) which whirls him onward with ever-increasing rapidity and superhuman power to his doom. Any logical analysis of his character is impossible and Professor Woodberry has wisely not attempted one. It is not difficult to realize why Poe was misunderstood, for he was unique and no one could sound the depths of that strange, mysterious and complex nature. Neither his wife nor Mrs. Clemm understood him, nor did they try to find a solution. They were conscious of but one emotion—they loved him—and the magic of that spell left all else unsought and undesired. So far as any one is able to solve this problem, Professor Woodberry has well and faithfully accomplished the task; and all men, especially the admirers of Poe, are under a lasting debt of gratitude to him for his scholarly research, untiring diligence and impartial sifting of the wheat from the chaff.

If, indeed, Professor Woodberry's opinion of Poe's work, even where that work is most distinguished, is remarkable more for careful and just moderation than for fervor, yet it always bears with it a conviction of sincerity and honesty and is received with the deference which is always due to such opinions. Praise is bestowed graciously where Professor Woodberry believes it is merited, and it is given with a composure and dignity pleasing at

all times, but admirable in a book of this character. The various works of Poe are taken up, reviewed and commented upon. The events of Poe's life are treated in the same way. The testimony is heard in open court, the documentary proof is produced—and it is often of Pantagruelian proportions—nothing is concealed, nothing extenuated. There are no signs of undue haste or vacillation, and one cannot doubt for a moment Professor Woodberry's intimate knowledge and mastery of his subject.

Nearly two generations have passed since the untimely and tragic ending of Poe's life in the hospital at Baltimore; and the sixty intervening years have not dimmed, but enhanced, the lustre of his genius. Sufficient time has elapsed since his death for the exaggerations concerning his habits and weaknesses to assume more normal and just proportions. The chasm which then divided the admirers from the detractors of Poe is being bridged. The Chauvinism of the former has become modified and the prejudices of the latter softened, and Professor Woodberry has revived the cherished hope that our descendants may see the day when those opposing factions meet midway upon this bridge with outstretched hands. We believe that Professor Woodberry has approached very near to that ideal biographer, which he describes in the preface of his book as being perfect in good sense, good-will and discretion.

A brilliant wit, a great beauty and an unhappy woman, it was not to be expected that the Hon. Mrs. Norton* should pass along the human path without being a mark for envy's shafts, a butt for malicious criticism. In these days when women are awaking to the fact that all the loyalty in the world has been the loyalty of men for men and women for men, nothing could be more instructive reading than the sufferings of this great and brilliant woman under the English laws and English social conventions. It speaks well for her gallant heart and high courage, as well as her wit and beauty, that, after all, she was victor in the long and terrible struggle.

Despite all denials, it is difficult in reading this first adequate life of Sheridan's splendid granddaughter not to identify her

* "The Life of Mrs. Norton." By Jane Grey Perkins. New York: Henry Holt & Co., 1909.

with George Meredith's "Diana." Point for point they are alike; the extraordinary epigrammatic wit; the remarkable brunette type of beauty; the raven hair and splendid carriage (who can forget how often Diana "swam" and "floated" across rooms where ordinary mortals walk!); the unhappy marriage; the little habit of always appearing "r-r-really a little late" at social functions, even at dinners; the suspicion of having furnished the "Times" with the news of the prospective repeal of the corn laws; the literary career; the staunchness and indomitable courage —all these points belong equally to Diana and to Caroline Norton.

Probably very few people remember Mrs. Norton as the author of such popular poems as "My Beautiful, My Beautiful," "Bingen on the Rhine," "Juanita," "Love Not, Love Not," etc. While if one may judge from the extracts given from her unprocurable novels, there was meat in them to furnish forth a good half-dozen of the slim, modern product. Important, undoubtedly, in the modern suffrage movement would be her political pamphlets: "Separation of Mother and Child by the Law of Custody of Infants," "A Plain Letter to the Lord Chancellor," "Letters to the Mob," "A Letter to the Queen on Lord Cranworth's Marriage-and-Divorce Bill," etc., etc.

This "Life" is delightfully written. Miss Perkins had access to the letters and the works of Mrs. Norton, and it is not undue praise to say she has re-created for us a personality as vivid and vivifying as Diana herself.

To try to rehabilitate Verlaine* is an ungrateful task and it makes, at best, most unpleasant reading. Probably Verlaine the man had better be allowed to float away on the River of Lethe, while we retain whatever was worth knowing about him in his strange but wonderful lyric gift. M. Lepelletier was a life-long friend, and his attempt shows more loyalty than judgment. Verlaine was a subject for the pathologist, but hardly for the general reader.

Every age is dominated by some man or men who serve as its easily remembered representatives. Yet this is never quite fair

* "Paul Verlaine." By Edmond Lepelletier. Translated by E. M. Lang. New York: Duffield & Co., 1909.

to an age, and some have distinctly suffered because of it. So the eighteenth century is rather slightly compared with the seventeenth or the sixteenth, because we unconsciously compare certain men who do not in reality admit of such treatment. Pope cannot be placed beside Dryden, nor are the courtiers of the Georges to be measured with the more picturesque figures of those of the two Charleses, and still less with those of Elizabeth.

In speaking of the eighteenth century, however, who does not immediately think of Hume, Pope, Chesterfield; and, above all else perhaps, of Horace Walpole, a thorough man of the world in a fine sense of the phrase, with his Memoirs, Letters and Journals* in which he gives so complete a picture of his time. And it was so unheroic a time! It repels rather than attracts. It touches neither the imagination nor the fancy, and even gives one a little qualm to think that human nature can be so seamy and ugly when one is privileged to have a private view. The truth is that in England the trail of the Georges is over the eighteenth century; and while not bad men exactly, they were, nevertheless, so unlovely, so selfish and so hopelessly stupid. Far worse men have been far better loved and more heartily served. Walpole's "Memoirs and Letters" justify the scathing indignation of Junius and the satirical contempt of Thackeray's "History of the Four Georges"—that history which closed for the time being so many fashionable doors to England's great novelist. And the "Last Journals" are but a supplementing of the "Letters," with the same kind of life both in color and quality. In a time of unblushing self-seeking, when men and women scarce troubled themselves to be even hypocrites, happy they who retained any moral sensibility and any nice discrimination between right and wrong. And this is what gives unusual value to Walpole's pages. The deeply clever and astute son of a really great father, in a time of corruption, he retained the sense of moral touch and gives many facets of a wonderful and instructive whole. Capable, as so few are, of learning from life direct, with a just and keen eye for that most elusive of all things, *character,* Walpole's "Journals," like his "Letters," are a treasure-trove to those who really know that "the proper study of mankind is man."

The relation of the individual to the mass, how from individual

* "Last Journals of Horace Walpole." Edited by Francis Stewart. New York: John Lane Company, 1910.

desire and act may come those composite events which we call *history,* Walpole always clearly shows. The private story is always plainly to be seen behind the public act, as when he tells the story of his own niece Maria Walpole, Lady Waldegrave, whose secret marriage with the Duke of Gloucester, a brother of George III, and the marriage of Mrs. Horton to the Duke of Cumberland, another brother, led directly to the Royal-Marriage Act.

Walpole's judgment of his contemporaries was comprehensive and, in the main, fair, although he had, of course, his preferences and predilections. Of far finer sensibility than Chesterfield, Walpole's work holds a truer picture of a deeply interesting and significant age.

Perhaps no American has had as varied a diplomatic experience as the Hon. John W. Foster.* He was the American Minister to Mexico when Diaz established himself as President of the Republic; he was the American Minister at St. Petersburg at the time of the assassination of Alexander II; he was engaged in negotiating most of the late Reciprocity Treaties of the United States; he drafted a treaty for the annexation of Hawaii; he was the American agent at the Behring Sea Fur Seal Arbitration; he acted in a similar capacity before the Alaskan Boundary Arbitrators; he was Secretary of State during the last months of the administration of President Harrison; he represented China at the last Peace Conference; he was retained by China to advise both of the commissions which the Middle Kingdom sent to Japan to sue for peace during the last days of the Chinese-Japanese War, and rendered conspicuous service to his Imperial client. Mr. Foster is a close observer of political institutions; his accounts of the conditions in Spain and Mexico are particularly interesting. The picture he gives of Li Hung Chang is of absorbing interest. We cannot but regret that he has not given us more of the dialogue between the wily Li and the no less shrewd Ito. We feel that we have been merely allowed to taste. We would have enjoyed hearing more of the Chinese Cabinet. To enter into the secret portals of diplomacy

* "Diplomatic Memoirs of John W. Foster." New York: Houghton, Mifflin Company, 1909.

is always fascinating, and we know of no more agreeable or better qualified person to guide the layman than Mr. Foster.

FICTION.

"Candles in the Wind"* is visible proof that learning does not make a novelist, and that the story-telling gift nine times out of ten is as much born and not made as the poet's. The book gives every evidence of wide reading, much knowledge gathered together, a carefully chosen plot, minutely described characters and, in the main, good English. The fact remains that the book is sown through with wide tracts of intolerable dulness, and somehow, in despite of all the author's pains, one does not very much care what becomes of any of the characters. It is, however, a conscientious piece of work and adds one more to the pictures of India we already have from Kipling and Mrs. Steele.

Elizabeth Robins has come home, in her latest novel,† and dealt with the familiar case of the loyal American a little homesick for foreign parts. She has taken an interesting relation between women for her situation, and for her theme the always tragical love between elder woman and younger man. The treatment is reticent, very delicate, not without charm. Isabel Roscoe accepts the only possible solution, and the reader, while regretful, is perforce content, reflects that life is so and that we can, like these three, make of it a thing unspoiled and believe that somehow the price is repaid in good for the race. The book advocates no party doctrines and wants neither humor nor story. It is serious, very womanly, noble and fortifying.

REPRINTS OF GREAT BOOKS.

Aubrey Beardsley, who died at Keats's age of Keats's malady, had, like Keats, a genius of the first rank. This rare and ex-

* "Candles in the Wind." By Maud Diver. New York: John Lane Company, 1909.

† "The Florentine Frame." By Elizabeth Robins. New York: Moffat, Yard & Co., 1909.

traordinary talent flowered early and came to fruit, but hardly ripened before it dropped untimely. It was mistrusted, unappreciated and, worst of all, mispraised. He was as out of place in late Victorian England as a discalced Carmelite or a ragged Yogi. He had a greater gift of line than Europe had borne for four centuries; his affinities were all with the misunderstood, the unknown East. And as line is of all plastic arts the least material in its influences, the drawings of this sick boy are extraordinarily moving and troubling. They stir men's souls in undreamed-of ways. If he chose at times a morbid theme, it was not for corruption's sake, but because they were novel and so long untouched as to be quite fresh; and his best work is invariably wholesome: swift and subtle and edifying, as all great beauty must be. Strange indeed it is, haunting and stirring our dull and earth-bound souls, drawing us out of our miry and stodgy ways to the infinite enlargement of our consciousness. And because he was before all else an artist, the worst of his work, which is the sickest, has far more of beauty than of malady in it. The work on the "*Morte d'Arthur*,"* an early commission, dragged on through the whole of his short working life and mingles all strains and all styles. Here and there in the decorations a motive may occur too pagan or too *rococo* to suit the book it nominally illustrates, but for the most part the pages (as they turn) satisfy profoundly. Take for delicacy of line "Arthur and the Strange Mantle," or for Arabian fantasy "The Questing Beast," or for the brilliancy of the blacks "Morgan le Fay and Sir Tristram." Here is miraculous design and composition on every leaf. Here is work in white on black, in black on white, in pure line. Here in a square inch are words and gardens that you breathe the odor of; waters that you feel the winds across; the ominous light of stormy skies; the radiant calm of quiet sunsettings; the hush of twilight over folded hills. It is the record for who can read of infinite possibilities, rare, precious, unfulfilled.

The letterpress of the volume is beautiful enough to match the wonderful drawings, and the text follows exactly Sir Thomas Malory's as imprinted by William Caxton in 1485, the only change being modernized spelling. As a whole, there could be

* "*Le Morte d'Arthur.*" By Sir Thomas Malory, Kt. Introduction by Professor Rhys and illustrations by Aubrey Beardsley. New York: E. P. Dutton and Co., 1909.

no more adequate and delightful reprint of the great romantic tales.

Hard were it to say in what these "Italian Hours"* of Mr. James are most beautiful—pictures or text or informing spirit. They have the serenity of a wise and perfect maturity, and yet they have the scrupulous and self-conscious enjoyment that only youth is equal to. What with reminiscences and what with post-scripts, they cover at least forty years. Yet how they are of a piece! Their finest quality, perhaps, as it is the rarest in the world, is just the expression more than anything else of an attitude towards life. And such an attitude!—a sort of wise passiveness, a receptivity that accepts the moment for the moment's own sake. The attitude is unimpassioned to the pitch of intensity and catholic to the brink of indifference, and so charged with the sense of life that it affords no margin for incident or event. For better and for worse the hours have massed themselves, in the main, about that ripe and golden middle period—may one say also, where the book is so acutely personal, that golden and ripe middle age?—which many who profess themselves the author's lovers profess to love best among his "manners" and "periods." It is for better by reason of the deliberate, candid, serene apprehension of the multiplicity of life and the equipoise of interests; for worse by the conscious shrinking from the pang of possible passions, and the curious consequent delusion which we remember the late Matthew Arnold to have shared, that the middle age might have been dull. But let the passion only pass from the heart to the head, and who so passionate as our author in every exquisite sensibility? Here, as always, he stands fast by his American colors, his original American judgments of what is and is not, in respect of a moral citizenship, possible. He may sigh for the cardinal's purple stockings, but never for the temporal papacy; he may deplore the ugliness of the Piazza Michael Angelo, but never the routing out of the Mercato Vecchio. He has the tenderest deprecations, the sweetest charity, for the Kingdom of Italy and the needs of the Italian. The hours are

* "Italian Hours." By Henry James, with illustrations in color by Joseph Pennell. Boston and New York: Houghton, Mifflin Company, 1909.

all golden and of the rarest stuff of life, and they testify that the best of life is, precisely, living.

Like a tree in unusual seasons, the "Mermaid Series" has suddenly and delightfully begun to grow again. At the moment it offers the whole body of Greene's* undisputed drama, with a long and carefully critical introduction. It is a long way from such genial and liberal essays of the old days, as Symonds and Swinburne, for instance, used to prefix to this ardent and argumentative editing; but old days are over and the critical apparatus is deftly handled. To have Greene handy and at hand is a great pleasure—Greene, who is really so sympathetic to us, with his ringing verses, his echoes of his betters and anticipations of the best; with his Anglo-Saxon humor, his equally racial sense for the world out-of-doors; best of all, his positively Victorian conception of wifely devotion and fresh-faced maidenhood.

This might be called the book of platitudes and paradoxes, for it aims not at novelty, but at certainty, and it comes fresher to us than anything written yesterday. The translation seems likely; at any rate, it is admirable; sententious, alive, compact of humor and dignity. To those unacquainted personally with the Chinese sage† it cannot be too heartily commended. It is the finest conceivable embodiment of the purely pagan spirit, the secular ideal of life. Neither Aristotle nor Dante, Browning nor Newman, makes a finer portrait of a gentleman. Courtesy, courage and culture—that is about the formula, but each virtue is at its highest power. "A gentleman is calm and spacious; the vulgar are always fretting." "Not for one moment may a gentleman sin against love; not in flurry and haste, nor yet in utter overthrow." "Rate the task above the prize." "The Master said: 'To learn the truth at daybreak and die at eve were enough.'" He sums up the gentleman in five paradoxes and then explains them thus: "To further what furthers the people, is not that kindness with-

* "Robert Greene." Edited with introduction and notes by Thomas H. Dickinson. "The Mermaid Series." London: T. Fisher Unwin. New York: Charles Scribner's Sons, 1909.

† "The Sayings of Confucius." Translated by Leonard A. Lyall. New York: Longmans, Green & Co., 1909.

out waste? If burdens be sorted to strength, who will grumble? To covet love and win love, is that sordid? Few or many, small or great, all is one to a gentleman; he dare not slight any man. Is not this to be high-minded and not proud? A gentleman straightens his robe and settles his face. He is stern and men look up to him with dread. Is not this to inspire awe and not fear?"

To sportsmen or to simple lovers of woods and dogs, deer and rabbits,* it is delightful to have the oldest English book on hunting brought within reach as the first edition of his reprint was not. Yet, barring size and splendor of effect, little is lost in the condensation. There are still many miniatures, delicious, often droll, always recognizable in respect of dogs and game both; there is still an appendix upon ancient terms of venery. And the book itself, which is just a younger contemporary of Chaucer's, has all Chaucer's freshness, love of the open sky and the fragrant woodland, all bird-song and dew and sun through greenery. Withal it has some surprises for the reader, even to the assumption that the huntsman when he gets home will want his bath before his bed. Pretty good, that, for early fifteenth-century England!

* "The Master of Game." By Edward, second Duke of York. Edited by William A. and F. Baillie-Grohman, with a foreword by Theodore Roosevelt. New York: Duffield & Co., 1909.

THE INHERENT RIGHT.*

BY THE EDITOR.

It seemed to the Directors of the Equal Franchise Society that this, the last of the series of these meetings, should be addressed by one of their own number. That is why I was asked and consented to speak to you this afternoon. But when the time came to fix upon a specific subject, or rather a specific phase of the whole subject, I confess that I expressed no little difficulty. So well, so thoroughly, so accurately and so convincingly have the various aspects been presented to you that there seemed little or nothing left to say. Finally, I suggested "The Inherent Right," meaning, of course, the prerogative of every human being to stand upon a basis of perfect equality with respect to every privilege conferred by God or nature, or both, alongside any other human being, without regard to sex. With that purpose in mind, I formulated a thesis which naturally impressed me as being both convincing and conclusive. But a secondary thought arose—one better, perhaps, from the view-point of effectiveness. Why should I not endeavor to answer the direct question: What is the gain to be derived by civilization, from enabling women to exercise the electoral franchise? But the simplicity of the answer seemed to equal, if not indeed to surpass, the distinctness of the inquiry. Primarily the strengthening of the State, incidentally the benefiting of themselves, would be the response, each proposition being, in my judgment, capable of demonstration so definite as to persuade any honest mind. Yet again feeling that such a presentation might properly be regarded as unessential and even perhaps as superfluous, I concluded that, in view of the circumstances, I might better summarize briefly the results of the winter's work, and in passing touch upon the two phases, to which reference has been made.

* Speech of George Harvey to the Equal Franchise Society at the Garden Theatre, New York, Thursday, March 24th.

We cannot hope to personify the arguments against Equal Suffrage because none has been adduced. Consideration is restricted sharply to mere objections to the fundamental principle which constitutes the basis of and the reason for the existence of this society. True, there is nothing that is novel in the carping, nor can we detect much that savors of singularity among the carpers; and yet, despite the fact that all efforts on the part of the Society to fetch them face to face have been unavailing, it would be unbecoming in us to ignore what they are supposed to represent. Consequently, it becomes our duty to examine with tolerant spirit all that we can lay our hands upon, namely, the reverberations. The speakers who have preceded me have done their parts so well that familiarity with petty cavilling has indeed bred contempt. But let us not blind our eyes to the truth that only iteration and reiteration can conquer the sodden fires of superstition, bigotry and inertia.

THE VENERABLE TEACHER.

To the ear of recollection sound the objections. Before the vision of mind appear the objectors. Through the mist of studied aloofness they emerge one by one. Behold the venerable teacher bearing bravely his burden of prejudice. He steps forward. With quavering voice he declares that when women carry muskets and fight for their country, then they can vote, but not until then, unless over his dead body. His say is ended. His legs are feeble. Tottering, he resumes his place. But his blow has been delivered, and he rejoices in the self-satisfaction that it has reached a vital spot. Physical capacity to bear arms, the requisite of exercising the franchise. That is the determination, definite and final. Thirty long years ago by his own rule of thumb, his right to vote would have ceased. Under the existing military regulations of the United States, I should have lost mine on the 16th day of last month. By the same prescription three-fourths, at least, of the college professors, teachers, professional men, clergymen, leaders in industry, men of affairs and all others engaged in sedentary occupations would be barred. All who are weak or crippled for whatever reason, feeble in body, however strong in mind, would be disqualified, and the destinies of the nation would be placed confidingly in the strong hands of the prize-fighters, the blacksmiths and the hod-carriers.

THE STATESMAN.

Steps forward a statesman, we need not mention names—any statesman—a diplomat as well: "When all the women want the vote they should have it. When that time comes, I shall support their demand, but I will not force it upon them." A happy suggestion, an easy solution! Fifty years ago there lived statesmen who took the identical position in a case absolutely parallel. Did the slaves want to be freed? No! If an honest poll could have been taken among all the American negroes in 1860, surely not one-third and probably not one-tenth would have made an affirmative declaration. How familiar to-day would be the assertions that they then would have made! They were sheltered and cared for, as women are now. They did not wish to assume responsibilities, as women shrink from the performance of duties now. They were ignorant, as the most loquacious of women plead ignorance now. Their sphere was the cabin, as it is of women now. They had their lords and masters to do their thinking, to guide them, to save their bodies, their souls and their children, as women have now. Such unquestionably would have been the attitude of a vast majority of those American slaves, if the test proposed to-day could have been made effectually then.

But what of the remaining tenth, whose instincts and aspirations cried out for freedom? Were their hopes and longings to be disregarded because they were in the minority? Was that the position assumed by the American people under the guidance of Abraham Lincoln? To the everlasting glory of this great Republic be it answered, No! There was in the minds of the patriots of that day no thought or suggestion of seeking utterance from the mass of negroes so long as one slave out of millions desired his freedom. Compromise between right and wrong was held to be impossible then. Is it so now? Or are American women beneath the slaves from Africa in the consideration of American men?

THE LADY.

Another, a lady, asks, "But surely you do not wish the bad women to have the vote?" Why not? Because perchance their sphere is the home? But what do you mean by bad women? And with a gulp she answers, "Why, the prostitutes." Oh yes, the prostitutes! Male or female or both? The bad women only, to be sure. So! And then we are asked to view the picture.

How vivid and frightful it is! When we were children at school, we shuddered at graphic descriptions of trips across the Siberian plains. We shivered in anguish at the plight of the wayfarers as they listened dismayed to the howling of wolves coming nearer and nearer, lapping their chops in keen and hungry anticipation of the prey about to fall into their grasp. But pitiful and heart-rending as were those scenes portrayed to our imaginations, they were as nothing compared to that which we now hear foretold of what will happen when women get the vote. If we are to believe the reverberations which constantly reach and almost paralyze our senses, a great army of abandoned women, regiments of outcasts, brigades of prostitutes are waiting, waiting, waiting only for the word to stream forth like wolves from their lair and rush with frenzied eyes to grasp with eager hands the ballot-box. Truly a dire foreboding!

But has it ever occurred to anybody to inquire what this great army would do when it had achieved its purpose? How would these imagined millions use the ballot? For whom and what would they vote? I ask the lady. Why, for everything that is bad. But how, they being ignorant in common with all women, would they know what was good and what was bad? The answer is as certain as fate. The bad men would tell them. The bad men would tell them. Yes, and make them do it. So in theory, as in practice, wherever equal suffrage has been tried, no "bad woman"—no, not one would ever go to the polls at all unless driven there by a man. Now I am ready to answer the question. Am I willing that prostitutes should have the right to vote? Yes, absolutely and unqualifiedly. As contrasted with the bestial creature, who defames the image in which he was created by trading in human flesh and blood, a thousand times yes. Better that ninety-and-nine depraved women, dragged to the ballot-box by their more depraved master, should vote wrong than that one should be deprived of a single opportunity to vote for the means to save her own poor soul! There never was and never will be a woman in whose breast does not live to her dying day the spark of hope of redemption. I refer you, my lady, to the words of your gentle Christ, spoken to the outcast Mary Magdalene. And I ask all men and all women who take this ignoble position: Why not make the test universal? It is very easy. Let the qualification of voting be, without distinction

of sex, observance of the seventh commandment! If vice and virtue are to be recognized as determining factors in the granting of the privilege, surely none can deny the fairness of the proposal. And its adoption would serve more purposes than one. It would eliminate vastly more than the ignorant and vicious vote. It would enhance beyond measure the satisfaction of those who oppose equal suffrage, because, forsooth, they prefer restricted suffrage. There can be no doubt as to what the enforcement of this decree would accomplish. It would, indeed, restrict the suffrage. The only danger is that there might not be a sufficient number of men saved out of the wreck to hold the offices.

THE FAIR-MINDED MAN.

Appears the practical man of business, fair-minded, open-minded, professedly broad-minded. Yes, he allows, equal suffrage is right enough theoretically, but how does it work? Has there been any marked improvement where it has been tried? Only facts count with a practical man. And the answer is: Find the facts for yourself. If, as you admit, the proposition is ethically sound, the burden of proof that it is impracticable rests, not upon us, but upon you. We *can* submit the record of results. We have done so. But in truth the obligation is yours. So we say: Find any nation, state or city where equal suffrage has wrought injury to the common weal, find any nation, state or city wherein repeal of equal suffrage, once adopted, has ever been seriously advocated or even proposed; then and not till then will your question of practicability merit consideration. Meanwhile let becoming stillness control your tongue.

But the ignorant vote? Ah yes, the ignorant vote. Too many have the franchise now. Intelligence should rule. Restricted suffrage is the crying need. A property qualification, too! So! Then why is there no such qualification? Why is there no restriction? You have the power. You have had it for more than a hundred years. Why does that which you regard as the gravest menace continue to exist? Are men unable or unwilling to achieve reform? Look ahead! Is the prospect of the next century a whit more encouraging under the rule of men exclusively? Then why not include the women? Surely this condition, so perilous in your estimation, could be no worse. It might be bettered. In any case clearly, after a hundred years

of futile endeavor, this is your only recourse. Why not, then, accept it like—well, like a man?

But women lack practical knowledge. They are idealists. They lack experience. Even those who own property cannot protect it. True, they cannot. Why? Because the corporation withholds the privilege? No. The corporation is more just than the State. More than forty per cent. of the stockholders of the Pennsylvania Railroad are women. They can and do vote for directors of their company. But when State or nation proposes arbitrary rate reductions or excessive taxation that would sweep away the dividends, who decides? Who has the power? Who elect the men who make the laws? Those who own nearly one-half of the great property? Not they! The Huns who work the mines, the Italians who lay the rails, but not the women who own the shares. A property qualification, did you say? Then let the highly honored State emerge from the darkness of shameful discrimination and stand beside the much-derided corporation in the sunlight of justice, fairness and right.

THE HOME.

But the home! Yes, yes, the sphere, the home, the spherical home, bounded on the north by eating, on the east by sleeping, on the west by praying and on the south by tatting, with the god of petty tyrannies ruling over all. Have you a wife, good man? Does she go to the opera? Stop her. There is danger in the air. She might prefer Wagner while you affect De Koven. She might say so. Heaven forbid, but if not, Heaven pity the dove of domestic felicity! Does she go a-shopping? Bid her cease. She may discover that casting a ballot is no more arduous than "trying on." Does she read the papers and magazines? Burn them. Ideas may enter her head. Does she speak except when spoken to? Refer her to St. Paul! Does she think she thinks? Scowl! Be shocked! Above all, be firm! Place her hand upon the cradle and bid her rock and be content that now she rules the world.

Oh, for the good old days, those happy days of Athens, when wives were locked in darkened rooms and, gnawing, mumbling, beating their poor wings against their cages, were made to understand that isolation is a duty and virtue is its own enforced reward. There was the acme of pagan felicity, the logical and

perfect development of the lauded, spherical, circumscribed Christian home. What matters that Athens sank into degradation and ruin? Was not the wife protected? Was not the woman fed? Saved from contact with the rude, rough world, her femininity preserved, her glorious dependence established by law and custom, all distractions eliminated, freed from all earthly obligations except to fetch imbeciles into the world, so she could and did exist till Death reached out a merciful hand and bid her hence in happy consciousness of woman's functions well performed.

THE BANKER.

Advances to the centre of the platform, the platform of the Metropolitan Temple, if you please, a banker, a well-known banker, an author, too, of greater or less distinction, a moralist and philosopher, a maker of epigrams, his intellect a depository of jewels of expression, of veritable gems of thought. From the collection we select a few of the most sparkling. Lest their lustre be dimmed by the handling, let us behold them in their untarnished glory, gleaming to the eye, dazzling the imagination. The first:

"Men practically acknowledge that women are their superiors when they raise their hats to them; and in other forms of deference they recognize their superiority and bow to the ladies."

Not of purest ray serene; an amethyst, let us say.

"Look, too, at the hazards, the risks, the physical danger that ladies would be exposed to at public meetings."

For example, here!

"We can easily picture a refined woman, dressed in the height of fashion, saying something in a speech at a public meeting to which some coarse and ignorant woman, or woman of ill repute, might make objection in the most insulting language."

Shocking! shameful! Ah, but listen—

"Worse still might happen, if she made a spirited reply to such a woman, who would, perhaps, not hesitate to strike her and make shipwreck of her costume, with the possible result that she would go home with a black eye, a damaged nose, torn garments and dishevelled hair, and even her hat not on straight, but alas! all awry, a terrible thing for a woman, as every woman knows."

Is it not a gem? A cat's-eye, shall we say?

"So why should woman seek to enter the foul arena of politics by winning the right to vote? She would do much better, and be much more at home, in winning hearts. In that she is, and always has been, and always will be, unrivalled, and she will be wise to limit her prowess to her own sphere in which she is the undisputed queen."

A sapphire, surely!

"As there is much pitch in politics, I predict that, after due experience, her watchword would no longer be 'Votes for Women!' but rather, 'Home, Sweet Home!'"

A pearl.

"As a married man, and a sincere friend and admirer of the ladies collectively, I advise them all to leave politics and voting, with all their rough-and-tumble work, and battling for the spoils, to men. They—the men—are made of commoner clay than the sirens and ministering angels to whom they raise their hats in acknowledgment of their superiority to themselves."

By all the gods, another amethyst!

"Politics makes strange bedfellows, and in politics all are equal, good, bad and indifferent; and bad women, or women willing to sell their votes, would probably be far more numerous and controlling at all political assemblages, and the polls than good women, if we had woman suffrage. Moreover, the bad and corruptible women would generally be under the control of politicians of the male sex and be quite willing to do their dirty and corrupt work. In politics we cannot choose our company, all citizens having equal rights and privileges, and no one can be excluded from a public meeting."

A handful of black opals, if you please!

"Woman in her own sphere is not merely useful and ornamental, but a blessing. She is an angel in the house, but if she had a vote politics would demoralize her, notwithstanding all arguments to the contrary."

Notwithstanding! Notwithstanding all arguments! The same yesterday, to-day and forever. Shall we say a turquoise?

"A woman's greatest charm, if not her crowning glory, is her modesty, and this should never be sacrificed in any degree for politics, office or anything else. Yet how could she preserve it in the rough-and-tumble strife and tobacco smoke of the often dirty and disreputable politicians she would have to associate

with? Let woman stick to her natural sphere; let her rejoice in the fact that she is a woman; let her worship womanly standards; let her throne remain firmly established in the home protected by the man of her choice and let her stop aiming to be manly."

A ruby, this, beyond a doubt! But better yet this gleaming Koh-i-noor:

"Woman should be proud of her position as it is and content with being a thing of beauty and a joy forever."

And best of all this "fitting description of her charms";

> "O! woman in our hours of ease,
> Uncertain, coy and hard to please,
> And variable as the shade
> By the light quivering aspen made,
> When pain and anguish wring the brow,
> A ministering angel thou!"

A string, a string of pearls!

Such the gems, the glowing, gleaming gems of thought. Why not, indeed, say sternly, "Notwithstanding arguments" when thus allowed to bask in iridescent dreams?

I may say, in passing, that the talented wife of my good friend, the distinguished banker, is a life member of the Equal Franchise Society.

A LESSON IN CONTRADICTIONS.

So much for the reverberations. Now for a lesson in contradictions! A composite photograph of the objectors is hardly attainable. But a composition of the objections may be attempted. These are the ingredients: On the one hand—

Women would forsake their children to vote.

On the other—

They would not vote at all.

And so on in pairs—

Their political antagonism to their husbands would destroy the family.

They would vote as their husbands vote.

They already exercise greater power indirectly than they could hope to wield directly.

They are not capable of passing upon public questions.

They now hold a superior position.
They are and should be held subordinate.

They are not equipped to teach.
Their chief duty is to train their children's minds.

They should become experts in governance before seeking the franchise.
Under no circumstances should they attempt to deal with political problems.

They are now accorded equal opportunities to earn their livings.
They ought not to compete with men in the rude world of business.

They are not fitted for holding office.
They are permitted to serve on school boards.

They should be satisfied with the existing enlightened government.
Politics is a mire of corruption.

They are mercenaries.
They are visionaries. ———
They cannot understand or appreciate economics.
Their business is to manage the household and safeguard the expenditures.

They would insist upon holding office.
They would not assume official responsibilities.

Chivalrous men can be relied upon to protect the interests of women of their own class.
Witness the arduous endeavors of sixteen hundred men teachers in this city to obtain "equal pay for equal work" for fifteen thousand women teachers.

They are socialists.
They are individualists.

They are too ignorant to vote.
They are too wise to want to vote.

And so the wheel goes round and round. Let us pass on.

A VITAL PHASE.

I come now to a phase of this problem which has not been touched upon in these meetings. And yet, from the view-point of actual accomplishment, it is to my mind the most vital. Grant that men's innate sense of justice may in time impel them to recognize the equal governing rights of all women who own property, pay taxes or earn their own livings. Grant that husbands may accord to the wives of others and even to their own the opportunity to vote if the demand shall become general. Grant that fathers may become glad to bestow upon their educated daughters the advantage of participation in directive governance. Grant that the time may come when the scales will drop from the eyes even of those women who now stand doggedly, obdurately, resentfully, pathetically, between their own sex and its righteous emancipation, not only blinding their own eyes, but shutting out the sunlight of equality and freedom from the eyes of those to whom they should be true and loyal.

Remain inertia, indolence, intolerance, products of bigotry, of dogma, of superstition. Religion is the inspiration and the Church is the guide of civilization. But authority is greedy, and men holding it, frocked or unfrocked, are but human; however firmly pledged to truth, no whit less prone to error. And the multitude, as ever since the world began, from sincerest motives, find refuge from disquieting Reason in faithful obedience. Allegiance rendered, millions lave their hands and, yawning, turn their heads, conscience free from duty done. Here lies the stumbling-block, here the mighty obstacle which must be removed to clear the path of enlightenment and of progress.

THE MINISTER.

Steps forward the minister of good intent, the clergyman benighted. Upon what ground does he base his insistence that human beings endowed alike with mind and spirit are and of right ought to be classified as one-half governing and the other half governed? Because God so willed. Authority, the Bible. And the evidence? It is here from Genesis, second chapter!

"And the Lord God caused a deep sleep to fall upon Adam, and he slept; and He took one of his ribs and closed the flesh thereof. And the rib which the Lord God had taken from man, made He a woman and brought her unto the man."

That is the whole of it. That is all there is. Upon that solitary verse hang all of the arguments, all of the solemn admonitions. Because woman was formed from a man's rib, is descended directly from what the French call a *cottelette,* it was the deliberate intention of the Creator to make her a subject of man, and when she sets up a claim of equality she violates a divine ordinance. That is the reasoning, that the declaration. True, Genesis asserts also or rather asserts primarily that "male and female created He them" absolute equals in the eyes of the Lord; but why consider a mere contradiction? It does not fit the case. Moreover, it cannot be explained, so let it be ignored. The subject sex must be kept in subjugation. So the extracted bone stands as the theological progenitor of all womankind.

Poor Adam! His sons and grandsons to this very day and generation possess all of their ribs. Was his that was taken returned after Eve was made or did he walk through life lopsided, perchance cursing the day when fastidiously he refused to pick a wife from the herd? And poorer Eve! Moulded from a mere spare rib, reared on unripe fruit and destined, through her multifarious daughters, to cringe to the end of time before a creature made of dirt! Yet such, we are assured, was the plain intent of God, the Maker of the universe.

Do you believe it? No. Nor can anybody who has traced the legends to their origins. The first chapter of Genesis says that man and woman were created on a basis of perfect equality; the second that woman was made from the man's rib. If one account is true, the other cannot be; if one version was inspired, the other was interpolated. Which the better withstands the test of research and examination?

THE STORIES OF CREATION.

Ezra, the scribe, compiled the books of the Old Testament during the captivity in Babylon which began only 586 B.C. They comprised the laws, the wonderful legends, the proverbs and the songs which had been transmitted through successive generations by word of mouth and pinpricks upon leather. They contained

and contain now in modern translations no reference to the story of creation. That was an afterthought. Forty years ago its origin was unknown. Not until the famous inscriptions were unearthed from the ruins of Nineveh by the British Museum in 1872 was the true source of the Biblical account definitely established. Then it was found that Ezra had taken it bodily from the Chaldean tradition. He could not well have done otherwise. The legend had stood the test of incalculable time. The narrations of all great peoples coincided — Aryan, Persian, Parsee, Etruscan, Hindoo—all confirmed the version of the Zend-Avesta and the Bundehesh to the effect that the Ahuramazda first created a single androgynous being with two faces, separated later into two personalities. Here was the source of the Biblical account of the creation of male and female at one and the same time upon a basis of perfect equality.

THE LEGEND FROM TAHITI.

The other came from Tahiti, whose ancient story reads: "Tarao caused the man to fall asleep, and while he slept, he took out one of his ivi, or bones, and with it made a woman, whom he gave to the man as his wife, and they became the progenitors of mankind. The woman's name was Ivi, which signifies a bone." So comes to us not only the early biography, but even the name of our unhappily unwed ancestress.

But why did the scribe Ezra interject this remote and contradictory myth? The answer is plain and significant. The women of Babylon were comparatively free and independent. The women of Israel were absolute subjects, the property first of their fathers and then of their husbands. Then as now the *status quo* was of prime importance. Its maintenance was essential to acceptance of the book. The men of Israel, like some men of to-day, would not part with their paternal authority. So from far-away Tahiti was drawn the law to fit the need. Woman was not made a subject to conform to the tenets of religious faith. Religion was made to conform to the existing subjection of woman. And there the matter stands to this very day.

Why do I dwell upon this circumstance? Why pay attention to mere legends? Why take the trouble to establish the origin or the greater antiquity of either? No question of fact is involved. Nobody now pretends that this tradition is the record of an actual

occurrence. True. But from the legend is drawn a lesson and the force of that lesson is felt to-day. Justifying the deduction of equality are the beliefs of all of the great, partly civilized peoples of antiquity. Warrant for the theory of subjugation is found in a solitary tradition of barbarism interpolated to supplement the dominance of physical force with the authority of adapted religious faith. To-day no less than at the time of the captivity, the tenets of Tahiti are used to smother as with a pall the aspirations of womankind. To-day as then woman is taught that she sins against God when she seeks the freedom of equality. And thousands and thousands so believe. How vital, then, it is to be able to say and to prove: The story adduced to show God's intent, either through His mode of actual creation or the lessons to be drawn therefrom, to deprive one-half of the human race of their natural rights—that story is without foundation in fact or in enlightened legend.

THE TEACHINGS OF PAUL.

But what of it? asks the clergyman. It is the dictum of the New Testament, not of the Old, that we heed. "Read the fifth chapter of St. Paul's Epistle to the Ephesians," was the triumphant declaration of a well-known minister at a recent meeting in this city. "Read the Bible." And we comply. We do read the Bible, but not as he, seeking a segregated monition to fit a case. We read it with understanding. And we inform him at the outset that St. Paul did not write the Epistle to the Ephesians. That might be considered a sufficient answer to his disingenuous demand. But we would not beg the question thus. We prefer to meet it fairly and squarely and submit it to the test of logic and comprehension. The solemn injunction appears in the first Epistle to the Corinthians and elsewhere. We will not now question its authenticity, and its explicitness is obvious. The words are familiar:

"Wives, be in subjection to your husbands."

"The husband is the head of the wife."

"The man is the image and glory of God, but the woman [alas!] is the glory of man [alone]."

"Let the women keep silence in the churches: for it is not permitted unto them to speak; but let them be in subjection, as also saith the law. And if they would learn anything, let them ask their husbands at home."

There is no mistaking Paul's meaning. If his words be accorded a general application, they constitute a decree of virtual enslavement of all women to the end of time. But what was the basis of his admonitions? What reasons did he offer for enjoining the perpetual subjugation of women? Here they are:

"For the man is not of the woman, but the woman of the man; for neither was the man created for the woman, but the woman for the man."

"For Adam was first formed, then Eve."

"TO GAIN THE JEWS."

So here we are again confronted by the missing rib. The legend from Tahiti is the ground and the only ground for Paul's command to women to be in subjection to their husbands. True, he bids men love their wives and mercifully refrains from ordering women to love their husbands. They are required only to "fear" them. But the point is that Paul's direction cannot be separated from the tradition of the rib. Upon that and nothing else it depends absolutely. If you recognize the one, you must believe the other from which it sprang. No additional authority is cited; none whatever is found in the teachings of Christ; none apparently exists anywhere. Now you can see why the wiser prelates hold fast to the legend of Tahiti, borrowed by Ezra the scribe. Disavow it and you remove the very corner-stone of Paul's injunctions, and the whole structure of implied subjection falls to the ground.

But why did the enlightened apostle accept this version of creation in preference to the better-substantiated account which signified a basis of equality? For the same reason that Ezra incorporated it in the Book of Genesis—to meet an existing condition. Paul was a Pharisee and the son of a Pharisee. He imbibed the doctrines of his sect from youth, and in his works later, as he himself declared, "to the Jews" he "became as a Jew" that he "might gain Jews." So he espoused the legend which conformed to the custom of the Jews. Here again woman was not placed in subjection by an inspired mandate of religion; religion was fashioned to hold her in the subjection which then prevailed and thus, as Paul says, to "gain the Jews."

He went further. He recognized and confirmed the law of Israel which conferred upon a father the actual ownership of his

daughter as property. To him that "hath power as touching his own will" was accorded absolute authority to give or not to give her in marriage. To give her was to do "well," but not to give her was to do "better." And Paul lauded spinsterhood and belittled motherhood. "Adam," he declared, with unction, "was not beguiled, but the woman, being beguiled, hath fallen into transgression." In that single phrase is the pith of Paul's attitude toward the women of Corinth and Thessalonia. He doubtless was sincere; he may have been justified; the conditions then prevailing may have been such as to require the application of the measures which he adopted. But times have changed. Not what Paul said then, but what Paul would say now deserves the greater consideration.

"Beware of dogs" doubtless was a timely warning to the Philippians, "Drink no more of water" was likely enough good advice to Timothy, but it does not follow necessarily that we of to-day are expected either to shun faithful animals or to drink only wine.

EPISTLE TO THE AMERICANS.

To interpret moral and religious law with understanding and due regard for its application to changed conditions, not to misapply monitions meant only for a certain people at a certain time, is the true mission of our spiritual guides. Paul was the greatest of apostles charged with a mighty task which he nobly performed. Would that God would send to us one equally enlightened as of to-day! Our need is not vain repetition of minute directions to the tribe of Judah or the tribe of Benjamin. Nor can it be satisfied from words addressed to Corinthians or Thessalonians. What we want is an Epistle to Americans, charged with the spirit which made this the land of freedom, which struck off the shackles of the slaves and which some day will enforce recognition of the existence in every human breast of the right of individual liberty subordinate only to conscience and to God.

But "Thus saith the law." Not the law of Nature. No. Before Nature's eyes all stand alike—the multifarious plants, the herbs, the trees, the flowers, the conscienceless animals, male and female, are recipients in equal degree of her beneficent care, of her protection from heat and cold, of safeguarding instinct, of consideration and kindly feeling among men. And even as between humans, Nature draws no line with respect to life, liberty

and the pursuit of happiness. Ability to achieve, capacity to enjoy and inborn desire to do noble deeds are distributed share and share alike. To neither sex is bequeathed even an approximate monopoly of faith, courage, self-sacrifice or any of the virtues which are held in high esteem. We may not deny the perfect fairness of Nature.

PERSONAL LIBERTY AN INHERENT RIGHT.

Nor, as we have seen, is there the slightest warrant, even in dogmatic legend, for asserting that, in this most important of all relationships, the law of God contradicts the law of Nature. Consequently, the law of Nature, which holds all animate things upon an exactly even basis of perfect equality, must stand. From every conceivable view-point woman's right to participate in governance is inherent, and as such pre-eminent, surpassing all minor prerogatives, transcending all other privileges—a truth as self-evident and as worthy of striving to sustain as is that which constitutes the crux of the American man's Declaration of Independence. Hear what Governor Winthrop said to the Pilgrims:

"There is a liberty of corrupt nature which is inconsistent with authority, impatient of restraint, the enemy of truth and peace, and all the ordinances of God are bent against it. But there is a civil, a moral, a Federal liberty, which consists in every one's enjoying his property and having the benefit of the laws of his country; a liberty of that only which is just and good; for this liberty you are to stand with your lives."

Mark the comprehensiveness of the definition and the sharpness of the distinction. The difference is that which lies between incorrigible error and immutable truth, between love of expediency and fealty to principle, between the power of physical force and the weight of noble example. The task of the Pilgrim ancestors was to clear the ground and sow the seed. That of the Pilgrim descendants is to keep the fields free from tares till they shall become, in the words of the beloved disciple, "white for the harvest," and this can never happen while the land dedicated to universal freedom continues to be ruled by a class whose authority is fixed with the unreasoning certainty of a Brahmin caste by the incident of sex.

But should not the governing power be wielded exclusively

by those who are able to fight for the nation, by the defenders who must and do bear the burdens of strife? That is the final question—the last word from the last ditch.

BETWEEN BARBARISM AND CHRISTIANITY.

All resolves to an issue between war and peace, between barbarism and civilization, between Mohammedanism and Christianity. It seems, in the process of halting development, a cruel test, unjust, remorseless and pitilessly unmerciful. For others I cannot speak. But for myself I accept the challenge. Shall I tell you why? Not many years ago, on one of the rare occasions that come to one whose time is filled, I found myself in the place of my birth, one of those little villages nestling among the hills of New England, one of those tiny cradles of liberty with which you may be familiar. It was in the springtime when the trees were beginning to show the fresh evidences of their life and the dainty buds of Nature were opening shyly to the sunbeams. On the day I arrived the little remnant of that portion of the Grand Army of the Republic had paid fitting tribute to their honored dead. The simple ceremonies were concluded. The beautiful memorial service had been rendered and all had gone when, as the sun was disappearing behind the hills, I found myself in the little churchyard. No stranger even could have failed to appreciate the nobility of the old town as his eyes fell upon the flowers here, there and everywhere, betokening the unwonted number of lives that had been sacrificed upon the altar of unity of nation and personal freedom. No son returning could have failed to feel a glow of pride, tinctured with infinite sadness, that there lay the bones of a greater proportionate number of those killed in that awful war than anywhere else in the whole country.

I stopped by the plain stones upon which were recorded the dates of births and deaths of a family whom best I knew. A father and a son. "Killed in the service of their God and their country for freedom's sake" was the inscription. And upon the mounds rested the wreaths placed that day by the hands of their comrades who yet lived, yet loved, yet revered as brave men do love and do revere the memories of those who have perished in performance of duty. And close to this stone was another, also recording the time when the spirit passed away, but a few months

later, from her who was the wife of the father and the mother of the son. And with her slept the child. Upon the stone was no inscription, upon the mound there lay no petals of the flowers of remembrance. Not unwept, not unremembered, but unrecognized and—shall I say unhonored?—lay the mother and the child.

WHO BEAR THE BURDENS.

And I wondered as I stood there who do bear the burdens of war? Through the mist of years I could see the happening in that small hamlet at that dread time. I could hear as they heard the thunderbolt of Sumter sounding and resounding among those hills of Vermont. No need to interpret the shock. In that peaceful community, no less than in the capitals and the cities, the message was understood. It was death for the individual or death for the nation. And how splendid the response! I could see the grim, earnest face of that father, the eager eyes of that son when the word came that their country called and slaves demanded freedom. And I could see that dry-eyed, bravely smiling mother holding the child upon her shoulder, that this might be the last image left on their minds and in their hearts as they went away to the war and whatever fate betide.

The imagination could follow them without a blush. They were brave men. Into the clash and crash they went, members of the first brigade, always at the point of greatest danger, possessing courage without limit, hearts without dismay, eager to fight, willing and ready to die for the cause which they considered just and noble.

And turning to the other page I could see the picture in the window I knew so well. I could see the mother, her simple duties done, sitting in the chair upon which as a lad I had climbed, and looking, looking down the village street and waiting, waiting, waiting for the tidings of only what God had willed. In Virginia was excitement, comradeship, possibly glory; but there by the little window was only helpless, patient, anguished waiting in the name of God, for love of country and for freeing of the slaves. One could almost see the eyes of her who sat there begin to fade, almost hear her steps begin to falter while, through the unending days and months and years, she clasped to her bosom the prattling child and taught it the words to plead with the god of battles to save and not destroy. And when came the fateful

message. Father and son gone forever. Memory only left. Look to the window now from down the village street and fathom, if you can, the depths of one woman's soul as with folded hands and broken heart she looks upon the child.

"HERS NOT TO REASON WHY."

Yes, who bear the burdens of war? Custom answers. Go stand in the churchyard of any village in this great land and read the answer on the stones. "In the service of their God," yes; "In the service of their country," yes; "for freedom's sake," nobly true. Not a word would we erase from that perfect tribute, not a flower would we take from that wreath of honor. But might we not all over the land do on next Memorial Day what I could not help but do on that Memorial Day—gather a few, a very few, wild blossoms from the brookside and place them tenderly upon the resting-place of the mother and child? Inscription? No. She fought in no battle. She bore no arms. No word had she to say, no act to do respecting need or cause. Hers not to reason why, hers but to give—to give all, husband, son, child, the love of her heart, the light of her eyes, the hope of her care; all, all, all that was on earth to make her wish to live. Hers not to reason why, hers but to give and die.

If it be true that God means that His children shall clutch at one another's throats to the end of time, then truly only those who can and love to fight should be permitted to pave the way. If broken limbs should transcend broken hearts, then women's voices should be stilled. But let those who feel thus take their fitting station behind the warring Mohammed. There is for such no place in the footsteps of the gentle Christ. God meant that for some inscrutable reason you women should suffer as you do and as men do. But simultaneously He implanted in every human breast, woman's as well as man's, the right to reason why. And if to-day the spirit of that brave man could speak from the unknown, I cannot but believe that it would say, "Stamp upon a single stone these words, 'For our God, for our country, to free the slaves, we died together.'" And so the words I would leave last in your minds shall be: Not to die in war unless it be a holy war, but to live in peace, in hope, in help to humanity, in love and care of children; so let true men and noble women live and work together.

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Mark Twain

MARK TWAIN

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KING EDWARD VII.

BY ANGLO-AMERICAN.

SOME years ago I contributed to the pages of this REVIEW an article, entitled "An Indictment of the British Monarchy," which gave, I fear, a certain amount of not unnatural offence in England. In it, while doing what I considered to be ample justice to the popularity and the political convenience of the Monarchy, I endeavored to show that in certain ways it "militates against national efficiency, emphasizes and encourages what is least desirable in the national character, and perpetuates an atmosphere which is fatal to the realization of the country's best self." I affirmed, among other things, that the British Monarchy, as we have known it since Queen Victoria's accession, is not an intellectual or stimulating force; that it does next to nothing for education and still less for art and letters; that it has lost the idea of leadership and initiative; that its example helps to confirm that caste system, the caste spirit and the caste point of view in the more than liberal place they already hold in the structure of English society; that the qualities of "tact," "amiability" and "graciousness," which are pretty nearly all that are expected of an English sovereign, bear their inevitable fruit in an excessive worship of externals and appearances and in an over-

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valuation of the purely decorative, non-productive elements of life; that the whole system of honors and precedence, of which the Monarchy is universally held to be the source, works with a subtle and degrading perniciousness and creates and popularizes false and therefore demoralizing values; and that the public life of the country, its standards of administration and its social atmosphere have suffered in earnestness, vigor and efficiency by being presided over by a Monarch who is necessarily rather a passive and spectacular figurehead than an active agent of progress and reform. These conclusions were at the time powerfully attacked in the issue of this REVIEW for December, 1903, by an Englishman signing himself "Defensor"; but I see, on the whole, little reason to revise or moderate the general trend of my criticisms. I am, however, willing to admit that in the seven years that have elapsed since the article was written the late King's activities and achievements have brought into clearer light the beneficent influence which the Crown may still exert in British affairs and that a dispassionate summary to-day of the case for and against the Monarchy would result in a verdict considerably more favorable than one felt able to enter in 1903.

I am conscious, as I write this, of a sensation of surprise. Few dreamed, when Queen Victoria died, that her son would confer fresh renown on the Throne she had raised to an unexampled height of honor, confidence and affection, or that he would extend its utility to spheres she had scarcely entered. The English press took upon itself to remind him on his accession that what is pardonable in a Prince of Wales cannot be condoned in a King; and the general disposition of the people was to believe that with all his popularity, his heartiness, his approachableness and his instinct for saying the right thing at the right moment, he would yet be unable to bridge over the gap left by the old Queen's death. It is almost with a shock of astonishment that the country to-day, surveying his nine years' reign, realizes that a more powerful and successful Monarch has rarely sat on the British throne. Where a decade ago people thought of him predominantly as a man of pleasure, fond of the material things of life, *un bon Parisien* before everything, they now recognize that he has proved himself a statesman and a diplomatist of the highest aptitudes. Almost the last stage on which it was expected that he would essay to cut a considerable figure was that

of *Welt-Politik;* yet with the possible exception of the Kaiser, nobody in Europe had more influence on the course of international politics during the past decade. King Edward, indeed, had not been on the throne a couple of years before the country found itself confronted and ruled over by a new man, a man it had previously had little chance of knowing. There were always, of course, two views of the King as of every monarch. There was the private view, the view you would hear expressed in the after-dinner confidences of politicians, diplomatists, society people, naval and military men, and so on; and there was the public view, the general opinion which the masses of the people, working from the outside and in a confusion of half lights, came somehow to form. There is always a gap between these two views, but nowhere is the gap so pronounced as in England. Nowhere else is the difference in the way men speak of the Sovereign in private and the way they speak of him in public so marked. The atmosphere of a Monarchy naturally does not permit of much outspokenness. The few who know and could speak from personal experience pay tribute to *les convenances* by monastically holding their peace, in public at any rate. The many who do not know and can only guess arrive at a few general impressions which are more interesting than valuable. In spite of an overwhelming democracy and the "society" papers, the English Monarchy is still a close concern; and those who have intimate access to it are but a fraction of the people. This, to be sure, is only as it should be. Given a Monarchy, seclusion must be one of its attributes. It dare not make itself chief or take part in any such hand-shaking festivities as come naturally to an American President. At all costs the appearance of dignity and ceremonial aloofness must be preserved. A thousand influences, not all of them perhaps of the most praiseworthy kind, combine in England to keep it up and to make the opinions of the man in the street on the personality of his Sovereign very different from the opinions of those who are really inside the Court circles.

One of the warmest tributes to King Edward as a monarch that I can recall came from a Cabinet Minister who has long ranked among the three or four most powerful statesmen in the kingdom. He had been thrown for fifteen years into close relationship, both private and official, with the King both as Prince of Wales and as Sovereign; and he had never really liked him. That

only made all the more remarkable his opinion deliberately expressed to me some five years ago that "from the day of his accession the King has done perfectly." He went on to say that the King's shrewdness and tact and industry and extraordinary quickness in grasping the point of an argument or a situation had astonished his Ministers. He especially praised the King's "manageableness." His Majesty, he said, had proved far more docile, more willing to surrender his private wishes, less crotchety than was Queen Victoria. "He had not made a single mistake"; it was "a pleasure to work with him"; above all, he was "a man you could convince"; he gave way with imperturbable good-humor when he was satisfied that reasons of State required the surrender of private schemes and inclinations. One such occasion presented itself at the time of the Coronation. There were two gentlemen who confidently expected to snatch peerages from the shower of Coronation honors; they were both warm personal friends of the King, who, for reasons on which the gossip of the day had a good deal to say, was most anxious to gratify their ambitions. On all such matters the late Lord Salisbury was usually the most complacent of Prime Ministers. He looked on with cynical detachment. "Oh, don't bother me about the matter," he was once reported to have said when his private secretary came to consult him about the annual batch of honors. "Don't bother me. Settle it your own way. Make anybody anything you like." But on this occasion even Lord Salisbury was spurred to protest. The elevation of the two would-be peers was not acceptable to the six hundred-odd members of the House of Lords, and the Prime Minister put his foot down very firmly on the proposal. The result was that, after a certain amount of feeling had been aroused, the King gave way. Only his instinctive reasonableness, a quality that never deserted him, could have made it possible.

To the masses of the English people King Edward was first and foremost a "good fellow." Only a few weeks ago an Irish Nationalist described him in the House of Commons as "the most popular man in the kingdom." The description was perfectly just. I mentioned it while waiting for a train to a ticket collector at a small country railroad station. He was a good royalist. "The most popular man in the kingdom!" he said. "Why, he's the most popular man in the world—bar none." "Bar none," he repeated, with relish and conviction. That was,

literally, how the enormous masses of his countrymen thought of King Edward. They liked his unfailing bonhomie and his air of being at home and enjoying himself wherever he went; they liked his all-round sportsmanship; they liked the admirable way in which he combined pageantry and stateliness with the workings of the democratic system; they liked to think of him "having a good time," attending the theatre, race-course and polo-ground without fuss or unnecessary display or any of the military accompaniments that on the Continent convert the simplest incident into a State event; they liked also to think that when ceremony was necessary, no one could be more ceremonial. On all these grounds their opinion of him was thoroughly well justified. He gratified them by being visible and public without cheapening the Crown, by resurrecting the Court in a brilliancy it had not known for half a century, by his skill in raising London to the social supremacy of Europe, by the many and varied points at which he came in touch with the sporting interests of the people and by the atmosphere of heartiness and good-fellowship he diffused. I can recall only one instance in which he seemed to fall a little short of what was expected of him. There was a general feeling that when Sir Henry Campbell-Bannerman died and the country was left without a Government the King might well have interrupted his holiday in the south of France and returned to his capital. With that exception his instinct for divining the unspoken wishes and anticipations of the country and for acting on them never once went astray.

Walter Bagehot used to say that an English Sovereign had three constitutional rights—the right to be consulted, the right to encourage and the right to warn. He added, shrewdly enough, that a ruler of great sense and sagacity would need no others. King Edward, who was pre-eminently a ruler of sense and sagacity, proved throughout his reign that Bagehot did not exaggerate. And, indeed, when you come to think of it, a monarch who is entitled to full knowledge and full discussion of all public transactions; who may criticise and so alter or modify his Cabinet's decisions; who may suggest amendments, raise doubts, propose alternatives and thus help to clarify the Ministerial mind; who is permanent while his advisers are fugitive, an onlooker while they are combatants; able to take a broad and leisurely survey while they are blinded by a thousand bewildering details—is

clearly a monarch with the amplest opportunities for influencing national policy. King Edward turned all these openings to admirable account. At one time, indeed, the strict Constitutionalists muttered a good deal among themselves over the extent and pertinacity of the King's activities. How far those activities really stretched we may have to wait another fifty years to learn, but it will be somewhat of a surprise if it is not then revealed that the late King took a strong line on two of the most important developments of his reign—first, the settlement of the Irish Land Tenure question and the general approach to a reconciliation between England and Ireland; and, secondly, the reorganization of the War Office and the creation of the Territorial Army. It was, however, in the sphere of foreign affairs that the King made his influence most immediately felt and earned the honorable title of "Edward the Peacemaker." In that field he not only availed himself of the normal privileges of a British Sovereign, but created new ones. He constituted himself in the name of his people and with their enthusiastic applause a sort of travelling Ambassador on behalf of international amity. He assumed the task of approaching the peoples and rulers and statesmen of Europe and of negotiating with them as a quasi unofficial but wholly representative spokesman of the nation. He thus made himself the most commanding figure in European politics and played a part, often the leading part, in a diplomatic revolution as complete and far-reaching as any in history. I need do no more than recall how enormously his visits and his engaging personality and good sense helped to knit England and France together, dissipated the seemingly incurable suspiciousness that hung over Anglo-Russian relations, and cemented anew the friendships between England and Spain, Italy and Portugal. These were very great and very real achievements, and I doubt whether they would have been possible but for King Edward and the peculiar qualities of his mind and temperament. He was an excellent judge of men and affairs with a natural inherited shrewdness sharpened by immense experience and a wide contact with life. He learned and assimilated with extraordinary quickness; a man of strong feelings, sharp decisions and not without a native strain of irascibility he had himself always well in hand; few prejudices clouded his judgment—he could tolerate anything but dulness and flaccidity; his fondness for society and agreeable

surroundings and company made him genuinely anxious to stave off friction, to bring men and nations together and to put them at their ease; everything he did and said showed forethought, maturity and an absence of effort; he enjoyed his diplomatic activities not only for the advantages that accrued from them to his nation and the prestige they brought to himself, but also because the instinct for matching his gifts and brains against those of other rulers ran strongly in his blood.

It will probably puzzle the historian of the future to explain why it was that a Sovereign so successful in diplomacy abroad, so popular among the masses of his own people, should yet have failed to avert the severe Constitutional crisis which filled the closing months of his reign. The anonymous author of an article in the May number of the "Contemporary Review"—an article that was suppressed by the proprietors of that periodical within a day or two of its publication—went some distance towards solving the mystery.

"No dispassionate observer," he declared, "will deny that in failing to avert this collision—*i. e.*, the collision between the Lords and the Commons over the Budget—the King, whether through misfortune or by fault, disappointed the expectations of the nation. . . . The confidence in the Crown, as the honest broker between parties, received a rude shock when it was evident that the King was unable to prevent the rejection of the Budget. It was openly said that if the late Queen had still been on the throne the catastrophe would not have overtaken us. . . . It is possible that the King, like his advisers, lacked the high quality of imagination necessary to enable him to grasp all that was implied in the beginning of a reactionary revolution. . . . That the King did perceive the danger in a dim sort of way is admitted, and he used what influence he had in his own fashion to induce the leaders of the Opposition to desist ere it was too late from challenging so serious a combat. But at this point we lay our finger upon the most serious element of weakness in the whole case. The King has many great qualities. No one is more tactful; no one is more kind-hearted. He is a capital sportsman, and in foreign affairs he possesses a fine instinct which seldom leads him wrong. His very geniality and good-fellowship deprive him of much of the awe with which the late Queen was regarded. The divinity that doth hedge a King wears somewhat thin in the atmosphere of dinner-parties and race-courses. His Majesty is a man of the world, going freely into society. But not even the most servile courtier would say that he has ever, whether as Prince or King, surrounded himself with men who are influential in either House of Parliament. Those who have shared his valuable counsels may be the wisest of men, as they are often among the pleasantest; but to the great political world they

are unknown. With the doubtful exception of Lord Esher, who has one of the sanest heads in Europe, none of those who constitute the *entourage* of the King count for anything in politics. Of the chiefs of our old nobility it is comparatively rare to find any among those whom His Majesty delights to honor. Nor is it libellous to assert that his Ministers, whether Liberal or Tory, have never found in him that garnered store of rich experience reaped by a lifetime of unremitting industry which made the late Queen the adviser of all her counsellors, the vigilant critic of her Ministers, the most influential of all the servants of the realm. The King, in short, has neither the strong character, the firm, resolute determination, nor the keen interest in political men and political measures which would have added to the influence always appertaining to the throne the immense, undefinable weight of a commanding personality."

There is a considerable amount of truth and justice in that criticism. The late King's social preferences were not of a kind that the English aristocracy relished, and the state of quiescent estrangement that existed between the Crown and the old nobility on this account undoubtedly impaired the King's influence in the crisis of last year and made it impossible for him to appeal to the Lords with anything like the effectiveness Queen Victoria commanded. In this respect King George V is more happily situated. He has no "set"; he is believed to have had little sympathy or liking for some of his father's most intimate friends. Moreover, his instincts naturally gravitate towards Toryism, and in the most difficult and perplexing situation in which he finds himself he may perhaps be able to count, to an extent denied to King Edward, upon the co-operation of all classes and parties in working out a solution. To the country at large his true character is little known. In none of his actions has he given any opening for criticism; in none, too, has he inspired any great enthusiasm. He is more interested in politics than was his father; he holds stronger views and he expresses them less cautiously; he lacks the coolness, the tact, the invariable discretion that characterized King Edward; and in foreign affairs he is necessarily without any authority except such as goes inevitably with his great office. It is never easy to judge what a man will be as a King from what he has been as a Prince. But King George V will pleasantly disappoint the general expectations of his subjects if he proves as competent, popular and many-sided a Sovereign as King Edward VII.

ANGLO-AMERICAN.

EGYPT'S REPLY TO COLONEL ROOSEVELT.

BY SHEIKH ALI YOUSSUF.

We Egyptians anticipated the arrival of the ex-President of the United States with great pleasure and impatience, for all Egyptians believed him to be the best representative of the great American nation, and they still consider that the Americans are the greatest nation in civilization of the present time, and that they are the best friends of the liberty of nations, inasmuch as in that country constitutional principles have received their widest development. Moreover, Egyptians have a greater liking for Americans than for Europeans, because they consider they have not been harmed by the Americans, while at the same time they are getting the same benefit from the American civilization that they gain from Europe. Therefore, the merchandise and goods of the United States of America are in the first rank with the Egyptians, who are anxious to obtain the fruits of the present civilization. Moreover, Egyptians derived special benefit from Americans who were brought by the late Khedive Ismail Pasha to fill posts in the Irrigation Department (Ministry of Public Works) and in the Egyptian army. These Americans are, in fact, the only and real teachers who taught the Egyptians honestly and did not interfere in politics. They may rightly boast that all Egyptian lieutenant generals in the Egyptian army are the pupils of General Stone and other American officers who were with him during the reign of the late Khedive Ismail Pasha.

For all these reasons as soon as Colonel Roosevelt came near the capital of the Sudan on his way from the south all the Egyptian papers of different parties began to praise him and publish long articles on his glorious history and career, and many notables of Cairo prepared themselves to meet him with the greatest cordiality and honor. Many members of the Constitutional Re-

form League of Egypt, of which I have the honor to be president, suggested that we should entertain him at a great political banquet, and a representative of our league actually called on Mr. Iddings, Consul-General of the United States of America, and asked if that honor could be conferred on our Party, begging the Consul to transmit our invitation to Colonel Roosevelt.

Mr. Iddings answered as follows:

"Colonel Roosevelt cannot accept a political invitation because Americans do not allow themselves to interfere in the political affairs of other people; moreover, an Egyptian who was a naturalized American lost his citizenship when he allowed his name to be used for the protection of a certain Egyptian paper from the press law. If that was the case of the public, it is more so in the case of a man like Colonel Roosevelt, who was the President of the United States and may be expected to fill the post in the future."

Notwithstanding his answer, we decided to do our best to receive with great honor the illustrious guest of Egypt. This feeling was shared by all the Egyptian parties and by every person who knew his great name. But as soon as Colonel Roosevelt arrived at Khartoum and made his speech at the Egyptian Officers' Club and at the American School, we were suddenly and exceedingly astonished. His advice to the Egyptian officers was that they should have nothing to do with politics. The advice in itself was very good, for when a soldier is occupied with politics he will be a weak soldier and a very poor politician. Such has been my advice for a long time to the Turkish officers. But Colonel Roosevelt volunteered this advice at a particular moment which changed its effect from a good result to that of insulting the officers and hurting their feelings, and made those who are aware of the facts and state of affairs, amongst whom I am, feel astonished at the behavior of our celebrated guest in the Sudan. We were afraid that he would say more on his arrival at Cairo. Therefore, I at once wrote my open letter to him in "*Al-Moayad*" in which I criticised his speeches at Khartoum and begged of him that he should respect the dignity of the Egyptian nation when in their country.

Wishing to explain the particular cause which changed this advice into criticism and insult, I will state the following:

Before the arrival of the ex-President at Khartoum, it was

well known that the late Boutros Pasha Ghali, the Egyptian Prime Minister, was murdered. He was a Copt, the Copts being in the minority in the Egyptian nation. When the report of his assassination was read at the Egyptian Officers' Club at Khartoum some young men among them were reported to have cheered and welcomed the news. If that were the case, I need scarcely say that they were foolish and devoid of manners. This information was sent by wire and privately to the authorities and was only known to very few, and not one Egyptian paper referred to it whilst it was only a private matter, and it was never known to the public. Even the British officers, who are the superiors there, did not think it was proper to mention the affair to the Egyptian officers. Being aware of what was said about the Egyptian officers before the address of Colonel Roosevelt, I was sure that the ex-President had a weakness, which is not unusual in great men, that point being vanity and the belief that they are altogether above criticism. I knew that, notwithstanding what was well known of his strong will and independence, he might be sometimes one of those politicians who are induced by flattery to do what they never intended to do.

Four months ago Colonel Roosevelt was hunting big game in Africa, and very little reached him about what was going on in the outside world except what interested him of his home affairs and the affairs of his party. Such meagre news was sent to him with the greatest difficulty, but with great care. Consequently, he was too busy to know the affairs of other nations, and it did not matter to him to get the real facts about the affairs of Egypt and the Egyptians. Khartoum was the first civilized city reached by Colonel Roosevelt after his shooting tour, and on the next day after his arrival he gave the Egyptian officers the above mentioned advice in their club. How did he know that these officers were politically occupied, seeing that when they went to the Sudan they were not connected with any political affair and no native or foreign paper ever accused them of being concerned in politics? Was not the ex-President induced to say what he said by persons who are interested that the officers should hear that advice? Therefore, I felt that the ex-President, on coming to Cairo, might be induced by what he saw from his great reception to again submit the Egyptian nation to his criticism and give us a very severe lesson like that which he actually did give afterwards in

the Egyptian University. I therefore wrote that open letter to him, which was the first thing he read as soon as he arrived at Cairo. I have known that he was greatly interested in what I wrote and wished to see me personally, but thought afterwards to see me with some other newspaper men. I remember that when we called he was all smiles and goodness, though he used to strike one hand on the other whenever he wished to influence us with his words. He said:

"I have been informed that an unfounded rumor has been spread about what I said in the Sudan to the effect that I wounded the feelings of the Mohammedans. I wish to say that this rumor is a lie."

He also said what proved to me that he greatly felt my criticism, namely: "I do not want newspaper men to dictate to me. I am going to speak to-morrow in the Egyptian University. Wait till you hear what I shall say and then say what you wish to say."

Since then it was stated that after we left him he edited his speech and omitted many paragraphs, but, unfortunately, there remained in the speech a great many insults to the Egyptian nation, amongst which was his advice to the nation that it had to wait many generations before it could deserve self-government. Colonel Roosevelt took the trouble to learn an Arabic proverb, which is, "God is with those who are patient if they know how to be patient," and pronounced that proverb in Arabic, thinking he might be able (borrowing another Arabic proverb) to throw melted lead into the heads of the Egyptians, where it would cool and get hard. But as soon as he pronounced those words in Arabic every one present smiled, including myself. The ex-President looked at me when I was smiling and smiled in return and nodded to me. Most of those, however, who laughed did so because they saw that the speaker took too much trouble to influence his audience. But every Egyptian, on being told that he had to wait many generations before deserving self-government, had to laugh through his tears and was also astonished.

Egypt is occupied by a foreign Power which Colonel Roosevelt knows is managing our affairs much in the same capacity as a powerful guardian managing the affairs of a wealthy person who is under age. Neither is the guardian willing to release the said person and his property, nor is that person able to become *sui juris*

as long as the guardian prevents him from gaining that end for his own personal interests. Ought not Colonel Roosevelt, while advising the Egyptians to wait generations for God's help, to have taken the opportunity of lecturing his cousins (the occupying Power) in a manner applicable to the strong and ambitious guardian? If it is said that the speaker refrained from giving that advice not wishing to put the Occupation in a critical position before the natives, why did he allow himself to make the position of the natives critical in the eyes of the Occupation?

Does an American who feels as powerful as Colonel Roosevelt find it proper and gallant to attack a nation whose guest he is with that insult, no matter what his personal inclination may be? Moreover, Colonel Roosevelt, in his speech at the Egyptian University, sorely wounded the feelings of Mohammedans and thereby did what he had denied having done in the Sudan. He referred to the assassination of Boutros Pasha Ghali while referring to the minority and majority. He said that "there are Mohammedans in the Philippines, but we do not allow the majority to attack the minority." Thus he inferred plainly that the assassination was an attack of the majority on the minority in Egypt, though the investigation proved beyond doubt that the murderer committed the crime alone and had no accomplices whatever—neither in will nor in deed. It was just as if Colonel Roosevelt was repeating the imputations of certain newspapers which try to provoke disagreement between Mohammedans and Christians by attributing religious fanaticism to the Mohammedans. If we add to the above that Colonel Roosevelt refused to accept the invitation of many notable Mohammedans amongst whom were some members of the General Assembly, saying that his time was too short, whilst accepting the invitation of some notables of the Copts of Cairo the day after his arrival, we may somehow excuse the Mohammedans for attributing to him what he himself has attributed to others.

Mr. Roosevelt made his speech in the Egyptian University at 11 A.M. on March 28th. Many of those present were not able to understand what he said at the time, and therefore the effect of the speech was not apparent, but when the Egyptian papers published the literal translation the same afternoon the people were greatly disappointed. Some speakers held meetings the same evening as well as the next day in many places, protesting

against the speech, and thousands of telegrams were received by the papers from different parts of the country censuring the strong language used by him. I am stating a fact in saying that the Egyptians were not wounded and pained by the attacks of Lord Cromer, in the speech he delivered two days before his last departure from Egypt on May 6th, 1907, as much as they were wounded by the speech delivered by Colonel Roosevelt at the Egyptian University. Lord Cromer was at that time leaving Egypt full of anger against the Egyptians, inasmuch as both parties had many differences which are usually found between a despot and a nation governed by sheer force; whereas, on the other hand, Colonel Roosevelt came to Egypt as an honored guest having the good wishes and respect of all the Egyptians. There was no political reason to induce him to take that unwarranted stand where he judged very cruelly a nation which history acknowledges to have been illustrious throughout the ages and in which the light of civilization has always burned brightly, notwithstanding constant suzerainty of different invaders in past centuries. Moreover, Mr. Roosevelt did not know about the affairs of Egypt more than what he had read in Lord Cromer's "Modern Egypt," and what he read in the British papers. If he knew anything more than what he had read, it could not exceed what a clever tourist knows in the same time as that spent by your ex-President in Egypt, where he was also surrounded by that officialdom which prevented him from knowing many things in a very short time. When I say that the Egyptians were pained by Mr. Roosevelt's speech and that they protested, it must not be understood that the ex-President was at any time in personal danger or that he was insulted, as was published by the "Daily Mail" of London, whose correspondent sent an interview which he said was given to him by our Prime Minister, an assertion which proved to be false.

The correspondent did not state the facts. No! and a thousand times no! That statement was invented by mean persons who wished to ruin the reputation of Egypt, and the same statement was circulated by the help of some British officials who dislike Sir Eldon Gorst.

Unfortunately, the present representative of His Majesty in Egypt is still trying to master the men left by Lord Cromer, who regret bitterly that the days of his Lordship are gone and who

are ill-disposed towards the present British agent because he has prevented them from governing the Egyptian departments and the native officials as they were heretofore accustomed. In the time of Lord Cromer they were all-powerful, to such an extent that it was impossible to tolerate their bureaucratic and overbearing attitude. Therefore, they always try to throw mud at the reputation of the present British agent, who does not countenance such behavior. When these angry officials found that the Egyptians were annoyed at what the ex-President said in the Sudan, they found a chance for circulating a rumor which cuts both ways. On the one side it would make the Egyptians appear as savages, and on the other side it would show Sir Eldon Gorst as being politically weak to the extent that if a great man visits Egypt as a distinguished guest he is not safe and that his life is threatened by Egyptian anarchy.

I don't deny that hundreds of enthusiastic young men stood at the door of the Shepherd's Hotel shouting, "Down with Roosevelt!" "Down with the Occupation and long live the Constitution!" But at that time the ex-President was being entertained at the German agency. Their shouting must be taken as a simple manifestation of the Young Egyptians to show their disapproval of the policy of the ex-President and nothing else. It is true that when the ex-President returned to his hotel and was informed of the state of things he did not approve of it; yet I do not think that he felt afraid for his safety, however much our enemies may have induced him to believe that his life was in danger. The fact is that sensible Egyptians did not approve of that demonstration and considered the same as childish. The result was that the language used by Colonel Roosevelt in his speeches both in the Sudan and in Cairo, as well as in his conversations, which pained Mohammedans—all these acts of his induced the Copts to feel especially inclined towards him, and hundreds of young Copts went to the Cairo station on the day of his departure and shouted, "Long live Roosevelt!" It is likely that they wished to answer those who shouted against the ex-President at his hotel.

On coming to this point in writing this article, the English translator for "*Al-Moayad*" brought me the translation of the following, which appeared in the New York "Evening Journal" of March 31st, 1910:

"At Tantah Colonel Roosevelt was reminded that it was the spot where, in 1882, the Moslems pulled the Christians out of the trains and massacred them. 'Yes,' said Colonel Roosevelt, 'and that is just what would happen again if they had self-rule in Egypt.'"

You see by the above that Colonel Roosevelt was always accompanied by persons full of malicious intentions and self-interest who made him distrust Mohammedans, in consequence of which he unintentionally did Mohammedans injustice in all that he said and, at the same time, was not stating facts.

Colonel Roosevelt spoke on the same subject when the Egyptian newspaper men called on him, and I mentioned to him at the time that Islam was the religion of perfect tolerance, giving the same equal rights to the people of all countries, and that it was through this fact that Mohammedans and Christians lived thirteen centuries in Egypt as neighbors and fellow workers, as one family, and that they enter each other's houses, and that the only difference between them is the way they say their prayers in Mosque or Church. Was the safety of the Copts during all that time due to British occupation or the rule of Christians? We would have doubted the statement of the New York "Evening Journal" had not Mr. Roosevelt given us the severe lecture and had he abstained from insinuating in his University speech that Egypt is not fit for self-government at the present time, but will need many generations. Consequently, the New York "Journal's" statement is worthy of credence, and the words of the ex-President, "That is just what would happen again if they had self-rule in Egypt," are among the results of his being deceived by bad company, such as is always the curse of great men.

Thus Colonel Roosevelt left Egypt, and when he departed from Alexandria and boarded the steamer "Prince Heinrich" on March 30th, 1910, he saw the following mournful spectacle: On one side stood some young Mohammedans and on the other side some young Copts. (The Mohammedans being in Egypt ninety-two per cent. of the Egyptians and the Copts are six per cent., the remainder being other denominations and foreigners.) The Mohammedans were shouting, "Down with Roosevelt!" and the Copts, "Long live Roosevelt!" This was the last thing seen by him in Egypt and the last result of his visit. He came to Egypt with its people preparing to receive him in honor and left the

country with the natives divided into two parties in regard to him, and the result would have been unhappy had not the wise men of both sections worked hard to destroy the bad effect which remained after this visit.

Had Mr. Roosevelt been an ordinary man, or had his importance been due only to his intelligence, we would have said that he may be right or may be wrong and nothing more. But he is the ex-President of the United States of America and may be again its President, and Americans must share a great part of the responsibility which results from what he says of us if that Republic shall long ignore his mistake. It is neither wise nor in accord with the gallantry of Americans that they should agree that Egypt should be insulted in their name whilst Egypt admires them and loves their civilization and sings their praises.

It is not to the interest of Americans that this insult should remain the only impression left in Egypt by the visit of one of their leading men. When Egypt is insulted every Mohammedan on the face of this world feels the insult, for Egypt is the greatest keeper of Mohammedan sciences. In it is situated the sacred Mosque Al-Azhar, which is the oldest university in the world. It was founded about one thousand years ago, and the number of its students is twelve thousand. Colonel Roosevelt visited Al-Azhar, and, though he is a Christian, the Ulemas received him with honors, and the Vice-President of this University presented the ex-President with a copy of the sacred Koran. It was the first time in history that a copy of Al Koran was given to a non-Mohammedan. That copy was one of the valuable treasures of Al-Azhar.

It is in the interest of both Egypt and America that we, on our part, and the Americans likewise, should endeavor to regard the act of Colonel Roosevelt as a mistake committed personally and that none other should share the responsibility; and we believe that Americans are still, in their country, the friends of freedom and are the friends of nations that are governed against their will. This is the belief of the Egyptians.

SHEIKH ALI YOUSSUF.

THE RETURN OF ROOSEVELT.

BY DR. STEPHEN S. WISE, RABBI OF THE FREE SYNAGOGUE.

THE question of the nation upon the return of Roosevelt is not, will he be elected President in 1912 or 1916, but rather, what will former President Roosevelt elect to be and to do upon his return to his country as a private citizen? The power and influence, which seem likely to remain his undiminished portion, would be but little enhanced by his return to office. Nor is the measure of his responsibility lessened because he is not clothed with office. The question, we repeat, is not what are we to do with Roosevelt, but what is Roosevelt to do for us.

If Theodore Roosevelt were to pass from among the living today, his fame would be secure. However, because of his comparative youth, it is likely to be his lot for many years to face the searching test to which high renown subjects its possessors. It is to be an extraordinary test, for his is an extraordinary, if not unique, fame.

Let us not be chary in admitting that his fame stands upon the foundations of a just faith in great service rendered by him to the nation. Whether or not in converting the office of President into the place of national leadership, Roosevelt has at times tended unduly to magnify the function of the Executive is a question which may safely be left to the constitutional dialecticians.

Theodore Roosevelt's clear title to fame rests upon his having organized and voiced the protest of democracy against the invasion of governmental function and prerogative by the constitutionally unrecognized powers of wealth and industry. This was and is an imperilling tendency, and Roosevelt, more than any single personality, roused the conscience of the nation to revolt against the threatened encroachment. Whether he has gone too far as urge the "stand-patters under all circumstances," or whether he

has not gone far enough in moving the nation to become conscious of the threatened limitation by extra-constitutional agencies of the exercise of the prerogatives of democratic self-government, we cannot now determine.

For our part, we believe that the administration of President Roosevelt was distinctively tonic in its moral effect upon the nation, and that its occasional shortcomings and blunders were far outweighed by its solid and permanent contributions to the science of democracy. Over and above his loyal support of his two Secretaries of State, John Hay and Elihu Root, in their statesmanlike conduct of our relations to the Far East and the South-American Republics, respectively; over and above his decisive influence in compelling the Russian and Japanese Governments to make for peace; over and above the most helpful example of his native catholicity and unfeigned fraternalism to a multitude of peoples, races, tongues and faiths which are America in the making; over and above his steadfast insistence upon the un-Americanism of capitalist domination of governmental agencies; over and above his earnest and eloquent exhortations to his fellow citizens to cherish the simple and virile virtues of democracy—his most signal and transcendent service to the nation has been the honest and downright way in which, amid the circumstance of highest place, he has performed the duties of that honest, patriotic, enlightened citizenship in a republic which sets the public weal above every private interest and the permanence of national principles above the triumph of transient tendencies.

The return of Theodore Roosevelt makes clear that the lofty conception of citizenship in a republic, long commended by him to the nation, is now to become a test by which to admeasure anew its author. If we as a nation are to-day more keenly critical and more sternly exigent of our public servants, it is in no small part due to the higher standards to which Roosevelt has accustomed us. The excuses of immaturity and radicalism can no longer reasonbly be urged on his behalf. For one thing Roosevelt stands to-day, humanly speaking, at the zenith of his powers. Whatever the buoyancy and elasticity of his nature, he has now reached, unless as the carping cynic claims he is fated never to reach, the period of maturity. And as for the excesses of Rooseveltian radicalism, we are at a loss to find the tokens thereof. Radicalism of utterance is one thing and a very different thing

from radicalism in action. Roosevelt is no radical, unless it be radical to insist upon the unimpairable validity of the Decalogue and the Beatitudes. He is essentially a conservator of the *status quo,* which he paraphrases in the more picturesque "square deal." The Sorbonne address, apart from its intellectual outlook and moral glow, would do credit to such a well-balanced and exquisitely poised conservative as was the late Senator Allison. Despite the alliterative allurement, Roosevelt is not a radical, but a conservative—a radical conservative. Vociferous insistence upon private and public honesty is no proof of radicalism, save from the view-point of those to whom any direct allusion to the moral law is as startling as were the trumpet-blast of the Day of Judgment.

Where will Theodore Roosevelt be found with reference to the tariff question is a problem which his return suggests. The one-time tariff reformer was strangely quiescent during his term of office in the Presidency. That he assume the leadership in the battle to be waged in behalf of emancipation from the tyranny of self-protecting manufacturers will be less heroic than would have been such assumption of leadership five years ago. His failure, however, to have a part upon his return in the revolt against the Payne-Aldrich inequity and iniquity would be seriously damaging to his position as a defender of the rights of the people and as an antagonist of unholy alliances between the captains of legislative and manufacturing industries.

Is it too much to hope that the winner of the Nobel Peace prize will prove to be increasingly tolerant toward the weaklings, who are bent upon allaying the "big-navy" madness, who believe that the big-navy programme is the beginning of a movement which may if unchecked confirm the current imperialistic tendencies in our democracy? Is the big navy to be the payment of our premium of insurance that we shall have peace with the nations? Must world-peace be paid for by expenditures of cash? A big-navy programme has no permanent place in the plans of our democracy. It shall yet pass into obsolescence in common with tariff walls. Both things are in opposition to the spirit of internationalism, which it is the part of democracy to further.

Perhaps the most decisive test of the returning Roosevelt will be found in the position which he is to occupy with respect to his party. Here a parallel, or rather a contrast, may be drawn between Theodore Roosevelt and Governor Hughes. Both are pro-

nounced party men, who withal clearly see that partisan advantage is never to be sought at the cost of national weal. But we are led to believe that Governor Hughes would go to greater lengths than Theodore Roosevelt in withholding aid and comfort from "undesirable citizens" within his own party. Thus, after the nauseating disclosures recently made at Albany, which involved the titular head of the Republican members of the State Senate, no man could fairly charge Governor Hughes with having in the slightest degree lent support to these recreant leaders of his party. He has held aloof from the entanglements of party management and leadership because, we take it, he could not self-respectingly take counsel with the men whom he was far-sighted enough to recognize and disesteem at their proper worth—or worthlessness.

We have at times been moved to feel that Governor Hughes, while never chargeable with supporting or even countenancing unworthy "bosses," has upon occasions silently endured courses of conduct among the leaders of his party which should have had his quick and unsparing condemnation. To-day, for example, there would be less occasion for anxiety respecting the succession to the Governorship, to be vacated by reason of Governor Hughes's appointment to the Supreme Court, if two years ago he had insisted upon the nomination of a ticket of higher calibre, if, in a word, he had refused to head a ticket weighted down by men who, save for one or two exceptions, were of dubious worth. But if Governor Hughes upon this one occasion failed to interfere, as in self-defence, apart from every consideration of State concern, we believe he ought to have interfered, and if he has at times been overpatient in his avoidance of personal conflict with the nominal heads of his party, Theodore Roosevelt's record is rather different from the view-point of party leadership.

We trust that it is not unfair to Roosevelt to urge that while his career made the fall of Plattism inevitable, he too long suffered Platt to flourish and at last to linger on. To be perfectly explicit, it was the rise of Rooseveltism that made the continued reign of such creatures as Platt impossible. But there ought to have been no room for Platt and his kind, save for the shortest term, in an order inaugurated by Roosevelt. Somehow the Platts and the Quays not only survived his dominance of Republicanism, but even prospered in their own ignoble way in despite of the Rooseveltrocution which had apparently overtaken them. When,

for example, the corrupt followers of the Quay-Stone *régime* in the Keystone State desperately sought to avert the crushing defeat that even apathetic Pennsylvania seemed ready to inflict upon its betrayers, these masters of Stategraft rather than Statecraft brazenly utilized the name and prestige of Roosevelt in order to stave off the day of wrath.

Roosevelt was silent and Pennsylvania was deceived by the name of Roosevelt upon the banners of a party which had more fittingly been adorned with such emblems as a "jimmy" and a sandbag, omitting all mention of the death's head of piratical tradition. Roosevelt did not place his name upon this banner; neither did he take it off, nor yet insist upon its removal. In other words, such leaders within the party organization as had basely prostituted the public service to private gain, who should at every turn have met with the smiting rebuke of which Roosevelt is the master, went their evil way without Roosevelt to molest them or to make them afraid. And this acquiescence in the use of stolen banners was the part of one whose soul abhorred and abhors the whole treasonable brood of grafters great and small.

Not that he was always silent when his word ought to have been forthcoming! The California boodlers and their associates in the low practices of high finance within and without California were made to feel the sting of his scornful reprobation when he spoke out in support of the few manly men whom San Francisco rejected. At another time Crokerism was vanquished by him in the memorable campaign for the Governorship of New York. But Platt and Quay, though mayhap pilloried in his private jest, were safe at his hands who should not have been safe.

If we were asked to name some considerable disservice on the part of Roosevelt to the nation, we would cite the muck-raking speech with its implicit exculpation of the then not wholly discredited but always discreditable Cannon, and its generously apportioned blame for the muck-rakers, the men who had dared to follow where he had chosen to lead and in so far had presumed to poach upon his private domain. The indictment of the muck-raker, which seemed to the unsophisticated to have been offered, if not stipulated for, as the price of Congressional concurrence in the legislative programme of the Executive, was greatly damaging to the cause of political reform. The muck-rakers took heart and found reprieve in their seeming vindication by the stern apostle

of political righteousness. On the other hand, the muck-rakers lost heart and for the most part threw away an instrument of national defence more urgently needed at that time than all of our thirteen-inch guns.

As a result the Presidential programme was in some part carried out, but at the high cost of an unfair deal to some muck-rakers, and, to change the figure, of the quasi-Presidential condonation of the men who, after a few years, are to-day being "resigned" and retired from office in swift succession to the accompaniment of the Hallelujahs of a profoundly grateful nation. The moral—or immoral—victory of Cannonism, as marked by the famous muck-raker address, doomed the nation to four years more of Cannonism and Aldrichism at their worst.

No achievement of the Roosevelt administration was more imperative and permanent than would have been the attitude of insurgency toward Cannonism and all it implies. But the achievement of spiking Cannonism has fallen to the credit of neither Roosevelt nor his successor. If Theodore Roosevelt had a tariff programme, it was held in abeyance at the behest of the dominant Congressional partner. His successor is fabled to have had an aggressive tariff programme for which the New England manufacturers and other philanthropic guardians of infant industries, abetted by their accomplices in both houses of Congress, have substituted a bounty or subsidy measure for the benefit of the American working-man's employer.

Two qualities of Roosevelt made possible the quasi-alliance between him and the leaders of Congress—chiefly a defensive alliance, which left much to Roosevelt to defend and to explain. Theodore Roosevelt is an intense and uncompromising partisan. Does he love his party enough to loathe its shame? It were, perhaps, fairer to say that he loves his party despite its shame. There have been times in the past decade when partisanship was in irreconcilable conflict with patriotism. Men held it to be the part of patriotism to ignore party affiliations in 1896 in order to avert the evil of a debased currency. It is not less the part of patriotism to forsake the party fold if debasement be current therein. But such is Roosevelt's ardent loyalty to his party that he acts as if it were saintly at best and inerrant under all circumstances. This explains the caption, "Vote for Roosevelt," in other days on the banners, which had been more suitably inscribed,

viewing their possessors, "Vote for me and graft." The corrupt "bosses," contemned by none more than by Roosevelt, took in vain and used to their great profit a name which should have been denied them.

These same creatures, faithless to country and to party alike, suffer themselves to be bound down by no such partisan limitations as they commend to others. The evil of Cannonism, which Roosevelt might have extirpated, was continued last year as the result of a nefarious pact, which won to the stalwart Republican's support the always negotiable votes of some Tammany Hall representatives. The junior Senator of Illinois likewise availed himself last year of the support of some apparently inexpensive members of the opposing party in the Illinois Legislature, and thus, to the disgrace of Illinois, quite irrespective of the exposures being made from day to day, joined the not inconsiderable number of members of the United States Senate who have every title to that high honor which the prodigal and unscrupulous expenditure of money can confer.

For four years the State of New York has all but vainly writhed under the spectacle of an infamous covenant between the worst and not least commanding elements of both parties—a compact which was designed to thwart at every step the plans of a Governor with a conscience and a will. Happily, this bipartisan infamy threatens to encompass the overthrow of all involved. Here is alike an opportunity for Theodore Roosevelt and a challenge. The leadership of party affairs in his own State is almost certain to devolve upon him unless he reject the task. "What will he do with it?" Have we not the right to ask that he shall scourge the money-changers out of the Temple? Can he with self-respect accept the associations which will fasten themselves upon him, unless he smite right and left the men who, while clothed with the responsibility of party leadership and even the dignity of public office, have peddled legislation at variable rates and prostituted power to basest ends?

But it is here that a second trait of Theodore Roosevelt's character invites judgment. May not the worship of the god of results lead in the end to the toleration of questionable means? Things must be done—but not anyhow. Woe betide the idealism, which is so eagerly practical that it will stoop to conquer. Our generation need not be urged to avoid impractical idealism. It

does need the most solemn warning lest it lapse into the ideallessness which is so practical that it becomes ready to practise anything. It was no mollycoddle who warned men that what one would have highly one must have holily. Results are good, but there are better things. Efficiency is good, but to be loyal to the royal in ourselves is better. It is well to be able to work with the tools at hand, but not if these be dirty and defiling. Will Theodore Roosevelt, if he assume the task of party leadership, meet the test of eliminating from party counsels the men who have interpreted party in the terms of a vast business agency, dealing in every manner of political commodity for cash or its equivalents from cut-rate franchises to swollen tariff bounties? This will be the most critical test of the quality of service which this man of almost unprecedented influence will be called upon to render to the Republic.

Not very long ago it fell to the writer to discuss the inexhaustible theme of Rooseveltism with two men, one of whom had been in Roosevelt's Cabinet, the other being a Wall Street magnate. Each unwittingly indulged in prophecy. His former lieutenant unhesitatingly predicted the re-election of Roosevelt and a subsequent change in the Constitution, which would enable him to retain office while he lived. Nor was this spoken in jest, for the speaker was in grim and almost panicky earnest. "But," he added significantly, "Roosevelt will do this not in the interest of his own fortunes, but to save his country." The Wall Street leader confined his forecast to these few words: "Whatever he may do in the future, Theodore Roosevelt will always be a great factor for good."

Each man, the once-honored counsellor as well as the financial leader, paid Roosevelt the unconscious tribute of imputing to him the possession of great power, and each believed, though one framed his faith in bizarre form, that he aimed to use that power in the interest of his country. It is greatly honoring to Roosevelt that, save for some foolish and blatant underlings in Wall Street, no considerable group of men in the nation has lost faith either in the courage or the high purpose of the man. The epithets "Cæsarism" and "Napoleon" may be lightly flung at this extraordinarily popular and captivating personality, but no man believes that Roosevelt harbors any purpose save to serve his country and his countrymen along the lines of constitutional advance

and orderly progress. We have heard no expressions of fearfulness touching the return of Roosevelt save on the part of such "worshippers at the shrine of the well-enough," and of such injured innocents as declaim even against the ancient legislator, whose insistence upon the eighth Commandment has "made lots of trouble ever since."

If we have any concern touching the return of Roosevelt, it rests upon the unwelcome observation that the nation is prone to expect too much of Roosevelt, that it may ask of him more than a democracy may well ask of any man.

We are the citizens of a democracy and it is the essence of democracy that it be democratic, that its citizenship shall be self-governing and self-determining. Roosevelt returns to his native shore to take his place amid the ranks of its private citizenship, and it were lamentably undemocratic to dream of piling upon him our common problems and our nation-wide tasks. He can do nothing for us which we cannot do for ourselves. Ill has he served the nation if by him we have been coddled into enervating dependence upon any man. The leadership of an individual in a democracy, however exalted its wisdom and benign its purpose, must ever be complemented by the resolutely co-operant self-reliance of the nation. Perhaps it has not been the least of the high services of Roosevelt to his people that we face the problems of the future with high-hearted and inflexible purpose and that the forward march of the nation has caught something of his own vigorous and militant stride.

Theodore Roosevelt may again have the right to present his name to his countrymen in connection with the highest office which it is theirs to fill. But let it not come to pass that the people shall turn to him as to their sole refuge. Upon the return of Roosevelt, it is the wish of those who honor him most and love their country best that he may ever be, in the quaint phrasing of an earlier day, equal to himself, equal to Theodore Roosevelt at his finest and noblest; that he may greatly use his great powers unto great ends; that measurably realizing the ideal set forth in the Sorbonne utterance, he may as his country's foremost servant render it the supreme service of helping it to a surer self-mastery and a loftier self-determination.

STEPHEN S. WISE.

THEODORE ROOSEVELT.

BY NORMAN E. MACK, CHAIRMAN OF THE DEMOCRATIC NATIONAL COMMITTEE.

AN article on "The Return of Roosevelt," written at the request of the editor of THE NORTH AMERICAN REVIEW, entails a certain delicacy of position on my part, owing to my present office as National Chairman of the great party to which Colonel Roosevelt is antagonistic. I would not be justified in writing at all on the subject proposed except in its purely political bearings. It will be treated here from the political view-point solely, and in nothing that shall be said has the writer the remotest wish or intention to personally offer any discourtesy either to former President Roosevelt or his equally eminent successor in the Presidential office.

It is fitting to tender Colonel Roosevelt congratulations upon his safe return from his African journey. I am glad his health has been preserved—glad that "not a lion did his duty." Gratification that a distinguished citizen has escaped the perils of an itinerary of unusual character, and in many respects fraught with dangers, is a feeling all should share. It is equally pertinent to express a hope that Colonel Roosevelt may also win free of the perils of European adulation which beset him at the moment of this writing. They are as dangerous to manliness, to Americanism, to mental and moral poise, as the fevers of the African jungle are to life. Their menace is subtler than malaria. The intellectual sleeping-sickness they have been known to induce is as bad for the mind as the bite of the tzetze fly is for the body.

The possibilities incident to Colonel Roosevelt's return to this country may be divided into their immediate and remote aspects. If the former President were to do what the ultra-strenuous wing of the Back-from-Elba Club seems to expect him to do, he would forthwith take the helm of the Taft Administration.

I put that proposition bluntly. Its grotesqueness can be shown in no other way so palpably as by stripping it of all extrinsic rhetoric and reducing it to its ultimate essential—that which the alchemists of the Middle Ages called the Absolute.

That the Roosevelt presence will in a more or less marked degree react on President Taft and his policies is one of the probabilities of the case which must candidly be recognized. The circumstances under which Mr. Taft received the nomination at Chicago, and the conditions of the campaign that followed, are so accurately known as to be incapable of being misinterpreted either by hostile criticism or friendly extenuation. Impartial judgment has no course left open but to acknowledge that the Taft nomination was a Roosevelt legacy. It constituted an innovation up to that time unheard of in American politics—the principle of hereditary succession to the Presidential office. It was this which affixed to Mr. Taft and his campaign the "proxy" stigma. It is this which is responsible for the fact that Mr. Taft, nominated through Roosevelt, supported by Roosevelt and pledged to the Roosevelt policies, entered upon an administration inaugurated less under its own auspices and compromised more by the rule that had preceded it than any other administration in American history.

But tacit recognition of these facts, both by President Taft and former President Roosevelt, and the actual utilization of them which is indisputable as regards each, is a distinct matter from their formal, overt ratification by either. There is a technical, though not ethical, difference between availing oneself of a bad policy and deliberate affixing one's hand and seal to it. Civic conscience should have prevented the former. But ordinary political astuteness ought to head off the latter. Whether it will or not remains to be seen.

Should Colonel Roosevelt force himself into the Taft Administration—should he seek open acclamation as the power behind the throne—he would unequivocally declare to the American people and the Republican party that in Mr. Taft he had imposed on them a mere substitute. Should President Taft permit him to do so, he would admit his nomination, his election, his course since he has occupied the White House to be worthless counters on the table of national politics.

Yet the radical admirers of Roosevelt demand this very thing.

Some who pass as well-wishers of President Taft regard it with an indifference altogether surprising. Such pay a poor compliment either to Colonel Roosevelt or President Taft. What some insist on and others supinely anticipate ought to be unthinkable. The viciousness of the seed sown by the controlling influence of an outgoing President in the choice of his successor receives ominous confirmation in this strange aftermath of the Chicago Convention and the Republican campaign of 1908.

In my own opinion, the immediate problem likely to confront the Administration, through the home-coming of Roosevelt, may be less sensational, but fully as insidious, as that which the Back-from-Elba contingent propounds. Obligations are powerful. Mr. Taft is under unparalleled obligations to Roosevelt. He is not only indebted, but he must ask still further favors. Never was debtor or suppliant a free man.

When Colonel Roosevelt again sets foot in this country, he will gaze down a vista of ravage, wreck and disruption in the Republican party which will make him look back with envy to the colossal immutability of the Pyramids, and will cause the ruins of the Forum to assume in his memory the aspect of a cheerful promenade. The Fourteenth Congressional District of Massachusetts and the Thirty-second Congressional District of New York annihilating the distance between Boston and Rochester by their hand-clasp of alliance against the high cost of living, tariff and trusts; the phenomenal majority of Dickinson in the Sixth District of Missouri forming the middle abutment of the bridge whose Eastern pier rises from the waters of the Atlantic and whose Western arch will be reared at the Golden Gate; the epoch-making insurrection against Cannonism in the House; the Aldriches and Hales preparing their retreat from the Senate; Republican anarchy in Ohio; Republican infamy and panic in New York; repudiation of the Payne-Aldrich tariff by the Republican State Convention of Indiana; insurgency representing the only rally of vital forces to any part of the Republican organism—it is needless to draw more than the outlines of a general situation familiar to all. Let us choose for analysis the problem at this moment most specifically associated with the return of Colonel Roosevelt—that of conditions in the State of New York —conditions that have been steadily developing through all these months of graft and bribery exposures and insurance scandals,

a situation lately sharply accentuated by the intended candidacy of Senator Depew for re-election and now brought to an acute crisis by the withdrawal of Governor Hughes from politics, thus depriving Empire State Republicans of their last asset.

Already the plan is agitated to fall back upon Roosevelt as a last resort to try to retrieve the political bankruptcy of the Republican party in New York—to offer him the support of the National and State Republican organizations for the United State Senatorship—to tender him the gubernatorial nomination if he wishes that instead—indeed, to promise him anything he wants, provided he will act as receiver for insolvent Republicanism in his home State.

To do that and successfully to do it is beyond the power of Colonel Roosevelt or any other man. Yet Roosevelt may undertake the task. And should he do so—should he in the specific case of New York or in the national field aggressively attempt to sustain the hands of the Administration—he would be other than Roosevelt did he not expect to wield in return a potent, not to say a dominant, influence in the White House and with the party leaders. It is this contingency—a contingency of emergency efforts for a party in dire stress, and of compensation for these efforts in the shape of preferred official party honors or of unofficial party dictation, which appears to me likely to constitute the nucleus of the relations of Theodore Roosevelt to the Republican situation upon his arrival in this country—that is, if he shall become a factor in that situation at all.

But there is a larger aspect of the return of Roosevelt which, in the opinion of not a few, calls for examination. This aspect is also the one most removed in point of time. Is there a likelihood that Theodore Roosevelt will be renominated for the Presidency in 1912? On that only a prophet can lift the curtain of the future. But it does not need a prophet to carry conviction, first, that such nomination would be a blunder without parallel; second, that no matter with what *éclat* it might be affirmed by a national convention, it would not reflect the saner sense of the Republican rank and file; and, third, that were Roosevelt to seek and obtain another Presidential nomination, he could not be elected.

The national election of 1912 will be more a battle of principles and less a battle of individualities than any similar con-

flict that has taken place in the United States. A Roosevelt candidacy would be a candidacy of individualism purely. Aside from the appeal of the Roosevelt personality—an emotional appeal to a public which on civic issues is essentially unemotional—what would such a candidacy have to offer? The Roosevelt policies? For seven years they were tried under Roosevelt and then they were given a fresh lease of power. Whether President Taft has maintained these policies is quite foreign to the substance of this argument. If he has not, then he has been inconsistent with the pledges under which his campaign was conducted. If he has, then the failure of his Administration is a sufficient comment on its propaganda. But in any event the Roosevelt policies are a burst bubble. They are an experiment which has been tried and found wanting. This is demonstrated not only by the omissions and commissions during Mr. Roosevelt's terms, but by what has happened since he left the White House and is connected by indissoluble links with his incumbency of the Presidential office.

Tariff revision in favor of special privilege, which has affixed an indelible stain on Mr. Taft's Administration at the very outset, is nothing but the logical sequel to the utter indifference to tariff revision of any kind which disfigured Mr. Roosevelt's seven years of opportunity. The sugar scandal, known to Roosevelt's Administration and disregarded by it; the Cortelyou corporation campaign-fund abomination; the Harriman incident; the Paul Morton episode; the failure effectively to prosecute the Beef Trust; the lapse of punitory efficiency with regard to the Alaskan land-grabbers, prodigality for which we must go back to the expenditures of the most gigantic war of modern times to find any arithmetic of comparison; collapse of any suggested aggressiveness against the criminal trusts and utilization of those trusts for political purposes—these are only a few of the spectres which would dog the footsteps of Mr. Roosevelt from the instant he might definitely seek again to become a dominant factor in national affairs. A vast amount has developed since Mr. Roosevelt went abroad. What was only partially understood at the close of his second term is now fully comprehended. His two administrations are reduced to their actual level, as administrations which with unequalled opportunities for achievement accomplished little at a time when accomplishment was most needed.

Discredited as to doctrine and record, Rooseveltism, so far as it exists now, is narrowed to the bare question of expediency. What standing has it from that view-point? Its sole foothold is the unstable bog of substitution of individualism for issues. Before it rises the impassable barrier of a century and a quarter of national repugnance to the Third Term idea—a repugnance so vehement, so just and so confirmed by accumulated precedent that it has become established as an American institution. To that precedent Mr. Roosevelt himself has formally subscribed, by his declaration immediately after the election of 1904, that he would not again be a candidate for the Presidency.

The reception accorded former President Roosevelt in Europe has elicited a number of laudatory comparisons with the honors bestowed on General Grant during his tour around the globe. The amusement of this species of parallel-drawing is quite harmless and may even be commendable up to the point when it is sought to inject into it a political significance. There it ceases to be legitimate. But to those who seek to read into the foreign courtesies paid to an ex-President of the United States a meaning which does not attach to them, let it be said that even meeting them on their own ground their parallel is far from perfect.

After General Grant returned from abroad, the problem of his political future was not complicated by any such subsidiary process as the proposal to bring Roosevelt to the rescue of the irremediable and the retrieval of the irretrievable in the State of New York. It was not involved in any such preliminary paradox as the supposition of installing the head of a past and gone administration as unofficial Prime Minister to an administration in power. The issue was reduced to two plain propositions: "Shall the Republican party give Grant another nomination?" and, "Shall the Third Term idea receive the sanction of a deliberately adopted precedent?" That was the grand crisis of the Third Term propaganda in this nation. General Grant was not handicapped by any scruples against accepting a third term. Colonel Roosevelt has, with the world as witness, professed such scruples. National antagonism to a Presidential third term was then by no means universal. Now it is practically so. The accumulation of precedent against the idea was far from being so massive—inexpugnable—as it is to-day. Yet with the conditions infinitely simpler than they are now, with everything more fa-

vorable to the exponents of the Third Term doctrine than ever before or since, the phalanx which supported Grant in the Republican National Convention of 1880 went down like the last square of the Old Guard on the field of Waterloo and Garfield was nominated.

From that day to this the Third Term, as a principle, a concession or a practicality, has been a corpse in its cerements. It cannot live—it can only be galvanized. Can anything more vividly illustrate the plight of the Republican party in this year of grace 1910 than that elements in that party—elements indefinite in extent, yet certainly appreciable—are demanding that the Third Term *caput mortuum* be dragged from its shroud and the battery be applied? The party which goes to the sepulchre of a slain fallacy for help is itself moribund.

Thus, from whatever angle we look at it, the construction put upon the return of Roosevelt by those who insist on regarding it not as a fact, but a factor, amounts to an attempted application of inadequate means to impossible ends. His interpolation into the politics of the State of New York will be nothing less than confession that the Republican party, its array shattered, its record disgraced, with neither prospect of success nor promise of reform, thrusts an individual into the breach, relying on the dictatorial will and the personal magnetism of a single man to make the electorate forget the monumental abuses of fraud, graft, bribery, machine rule and legislative prostitution by which it has been victimized. His overt or tacit acceptance as the guiding hand of the Taft Administration is to paint in heraldic blazonry the truth that that administration is too weak to stand alone. His nomination for the Presidency in 1912 would be repetition on a national scale of the emotionalism and the individualism with which his entry into New York politics, whether as State leader, Senatorial candidate or Gubernatorial nominee, would seek to supply the default of issues. It would have a meaning of deeper and more dangerous import even than that, for it would be the apotheosis of one-man power in a great party, and the standard under which the Republican party would go to battle would flaunt the legend that what the American people need is not a President, but a master.

To avoid any pretext for misapprehension, it is proper here to state that in nothing said in this article am I assuming what

response Colonel Roosevelt will make, when he comes back to this country, to those who for personal ends or party purposes stand ready to exploit him. I recognize as clearly as any man can that Colonel Roosevelt has not declared himself, and that his receptiveness or non-receptiveness of what is being mapped out for him in certain quarters still remains an unknown term in the great equation of events. But facts already history, conclusions inevitable as soon as the premises of what is being prepared for Colonel Roosevelt are granted, speak for themselves, and as they are incapable of being misunderstood they need neither explanation nor reservation.

But eliminating both the past and the future from our survey, the grand lesson conveyed by the present moment in its relation to Roosevelt is its demonstration of the straits to which the Republican party is reduced. Desperate is the condition of a party when elements so considerable as those which are relying on Roosevelt and Roosevelt only feel that they can depend neither on party record, party pledges nor party doctrine, but can find hope only in the individuality of a man.

NORMAN E. MACK.

INCOME-TAX AMENDMENT.

BY WILLIAM E. BORAH, U. S. SENATOR.

It is persistently urged that by adopting the proposed constitutional amendment providing for the levying of an income tax without apportionment some new or additional taxing power will be conferred upon Congress, some limitation placed upon the powers of the State. Many are led to believe that we are in effect readjusting the taxing power as between the national and the State governments. With much apparent earnestness a warning is sent forth from certain sources every few days that the States should look well to this attempt to take away some of their present power. Even so profound a constitutional lawyer as ex-Senator Edmunds says, in an article lately printed in the "Congressional Record": "In so sweeping and unlimited a form (is the proposed amendment) as to grant Congress the right to tax the very States themselves by impositions upon their bonds and other sources of revenue. . . . For what reason is this great and radical change and surrender proposed?"

What "radical change" is to be made, what "surrender proposed"? I submit that the position thus taken by the ex-Senator cannot be sustained either upon reason or authority.

Is there any doubt in the mind of any lawyer, or layman for that matter, who has considered the subject, that Congress has power to levy an income tax now—under the Constitution as it at present exists? May we not, if we apportion the same, levy an income tax at the present time? Congress has the power now to do precisely that which is deemed revolutionary and destructive to the States. There has never been any difference of opinion among lawyers or in the decisions as to the power of Congress to levy an income tax. The sole question has been as to whether it should be apportioned or not, and the sole purpose and only effect of the amendment is to relieve from the necessity of ap-

portionment. There was no necessity for any extension of power, but there was a necessity from a practical standpoint for changing the rule for the exercise of a conceded and unlimited power.

There is no kind of property, no income "from whatever source derived," which will be subject to taxation after the adoption of the amendment without apportionment which is not at the present time subject to taxation with apportionment. The taxation of State bonds and other securities will be no different with the amendment than without it. The Constitution says: "The Congress shall have power to lay and collect taxes, duties, imposts and excises," etc. Is there any kind of property or any kind of income, "from whatever source derived," excepted by this clause? If certain kinds of incomes are excepted, such as income from State bonds and other securities, where is the language or rule of construction which excepts them? Has any court ever intimated that in the taxing clause of the Constitution is to be found any exception as to incomes from State bonds or incomes "from whatever source derived"? On the other hand, from Marshall to Chief-Justice Fuller and Associate-Justice White in the Pollock case, it has been announced too often for reference that the taxing power as contained in the taxing clause of the Constitution is unlimited, unfettered, covering all kinds of property and all kinds of incomes. There is no doubt, if the taxing clause of the Constitution were construed standing alone and without regard to the fact that it is a part of an instrument of government and without regard to the scope, scheme and plan of the instrument, that Congress would have the absolute power to tax the incomes of State bonds and other securities upon the same being apportioned. And if we should go back prior to 1894 and follow the rule given us by the courts for nearly a hundred years we would have the right to tax them without apportionment.

Nevertheless, the Supreme Court has held that whether apportioned or not you cannot tax State bonds or any of the instrumentalities of the States. Not because the taxing power as quoted is not full and complete, but because this power must be construed in the light of the Constitution as a whole—its scope, purpose and design. The scope, purpose and design of the instrument are to create two separate, and within their granted and reserved powers, independent sovereignties. And it follows necessarily that neither should and that neither does have the

power to embarrass or destroy the other. In other words, that there must always be subtracted from this unlimited taxing power, plenary though it be, the right of a State government to exist and perform its functions. Upon this principle and upon this principle alone the instrumentalities of the States are exempted. Marshall, when confronted with the claim of the States of the right to tax the instrumentalities of the national Government, boldly stated that no provision of the Constitution could be found to prohibit such taxation. But said the justice: "There is no express provision (of the Constitution) for the case, but the claim has been sustained on a principle which so entirely pervades the Constitution, is so intermixed with the materials which compose it, so interwoven with its web, so blended with its texture, as to be incapable of being separated from it without rending it into shreds."

Later, when the question was presented as to the power of the Government to tax the instrumentalities of the States, the court was met with the rule long established that there was no limit to the taxing power of Congress. "That it might be exerted upon all individuals and upon every species of property" was conceded. If so, upon what theory was the income from State bonds or State officials' salaries to be exempted? Solely upon the theory that these sovereignties were in their spheres independent, and that the "admittedly unlimited power" to tax related alone to the property or incomes from sources within the jurisdiction of the sovereignty laying the tax. That the State government and its instrumentalities of sovereignty were not within the jurisdiction or subject to the control of the national Government was the conclusion reached. The court said:

"It is admitted there is no express provision in the Constitution that prohibits the general Government from taxing the means and instrumentalities of a State, nor is there any prohibiting the State from taxing the means and instrumentalities of the Government. In both cases exemption rests upon necessary implication and is upheld by the great law of self-preservation, as any Government whose means employed in conducting its operations, if subject to the control of another and distinct Government, can exist only at the mercy of that Government."

It will be recalled that the income tax of 1864 covered specifically incomes from State securities and the salaries of State officers. This law was held constitutional. That is, it was held that the tax need not be apportioned. There was, therefore, before the

court precisely the situation we would have should this amendment be adopted and the rule of apportionment discarded. We had an income-tax statute specifically covering the subject-matter of incomes from the State securities, and we had numerous decisions of the Supreme Court to the effect that the taxing power of Congress was plenary and yet the court held that you could not tax State securities or bonds. Did the court so hold upon the theory that State bonds were excepted from the taxing power under the Constitution, or that the language of the taxing power was not sufficient to cover the same? By no means. On the other hand, in this very decision, it is said that there was no limitation to the taxing power of Congress. Did it hold this because the statute itself did not cover this kind of property? By no means. The effect of those decisions was that, notwithstanding the unlimited taxing power of Congress when standing alone, it must be construed in the light of the fact that we have a dual Government. The decision was based upon the law of self-preservation—the whole scope and plan of Government as outlined in the Constitution being that there were two separate and distinct sovereignties unembarrassed by each other.

Let us suppose that this amendment is adopted and Congress should pass a law levying an income tax upon the income from State bonds. It would then be said that a statute covering this specific kind of property passed under an amendment covering incomes "from whatever source derived" would certainly authorize the tax. But could it not be said in complete answer to this that upon several previous occasions Congress had passed a statute taxing incomes from State bonds under a constitutional provision which the court had held covered property of every nature and kind, but that aside from the plenary power of taxation and the specific provisions of the statute there was another principle which must obtain when construing the Constitution providing for a dual form of Government and that that principle remains intact? The court did not hold, for instance, in the Pollock case that the income tax on State bonds was void because it was unapportioned. It held, notwithstanding the language of the statute and the plenary power of the Constitution under which it was passed, that the national Government could not tax these State bonds for the reasons theretofore announced in the case of Collector *vs.* Day and above quoted.

Apply *this* test to the argument of those who oppose the amendment: What power would the national Government have after the adoption of this amendment that it has not now? None. It will have precisely the same power to tax to cover the same kind of property, but without apportionment. On the other hand, what power has the State now that it would not have after the amendment was adopted? None. The rule under which the State bonds and State instrumentalities have been exempted for a hundred years from taxation is untouched and unchanged by this amendment. The reasons upon which the opinions are based holding them exempt would be precisely the same after as before the adoption of the amendment.

Is it not incumbent upon those who say that by adopting this amendment we will be able to tax State bonds and State instrumentalities to show as a basis for their contention that the reason why we have not been permitted to tax them heretofore is because there was an exception found in the taxing clause of the Constitution or because there was a limitation as to kinds of property to be taxed? They can show neither. Even in the Pollock case Justice Fuller said that, save as to exports, the taxing power of Congress "reaches every subject and may be exercised at discretion." Justice White said in the same case: "It is unquestioned that the provisions of the Constitution vest in the United States the plenary powers of taxation, and all we have to determine," continues the Justice in that powerful dissenting opinion which has never been answered and never will be, "is not the existence of a power, but whether an admittedly unlimited power to tax has been used according to the instructions as to method." The majority and the minority were a unit as to the plenary power of Congress to tax; also a unit that, notwithstanding this plenary power, you could not tax State bonds apportioned or unapportioned. If the power to tax is complete and unfettered, covering all subjects and every kind of property, will this amendment add anything to it?

In this connection, in view of the holding of the court as to the extent of power now in Congress to tax, do the words "from whatever source derived" therefore add anything whatever to the strength or amplitude of the amendment? Do they include any property or kind of property not already included? For instance, if the amendment read: "Congress shall have power to lay and

collect taxes on incomes without apportionment," would it not cover all incomes just as fully as the words "from whatever source derived"? Has it not been held universally that the words "Congress shall have power to lay and collect taxes" cover property or incomes from whatever source derived? So far as this clause itself is concerned, the words "from whatever source derived" are included in the general clause because it covers everything without exception. I grant that there was no need of using the words, and that it would perhaps have been better not to do so. It is never well to coin phrases when you know precisely what you wish to accomplish and have the phrases well embodied in the law and their meaning thoroughly established, at hand for ready use. But possibly this happened by reason of the manner in which the amendment came in. This amendment and the corporation tax were the twin children of legislative necessity. Those of us who favored the amendment to the tariff bill providing for an income tax, believing the court would reverse the Pollock case if the question were resubmitted, had secured enough votes to pass the amendment. Something had to be done. So this amendment and the corporation tax were brought in as a substitute, with the understanding and notice served that both had been formulated in the region of the immaculate and both were clothed and accompanied by the sustaining benediction of those who could not err and that no changes in the amendments were to be contemplated for a moment. And thus with that solemn and serious but complacent consideration which always obtains when divine things are passing by they went through the Senate.

Some seem to think that this amendment foreshadows an assault upon wealth. No sane man would take from industry its just reward or rob frugality of a fair and honest return. I believe in protection to wealth legitimately acquired and the absolute guarantee to property and property rights. These things are essential to the welfare of those who do not possess property as well as those who do, and no man would render them less efficient than they now are. But equality of burden and equal opportunity in the struggle for existence are also essential to any successful and continued plan for the protection of wealth and property. We lose sight of the fact that, after all, in a Government like ours statutes and constitutions cannot of themselves

protect property. In the last analysis property can only be protected through an intelligent, law-abiding and loyal citizenship. There is nothing in this world so blind, so incapable of appreciating the forces which in the end will destroy it as wealth. If it were not, it would realize that every time it invades the law of equal opportunity or the rule of equal burdens it is undermining its own stability and inviting its own ruin. Those who honestly and faithfully contend for the equal distribution of the great burdens of Government, year by year increasing, who seek to protect the less fortunate and prosperous against the unjust accusations of selfishness and greed, are the real friends of property and the true defenders of law and order. Such men have no fight upon honest wealth. They realize its value and would protect it. But they know also that the man who walked down Fifth Avenue a few nights ago, hungry and haunted by the cries of his children, and threw a rock at the feasters in a palatial hotel, can no more be ignored in considering policies than the greatest of magnates who wearies with the burdens of his wealth. There are those who even dare to believe that purely as a matter of safeguarding our institutions and of preserving the guarantees of property, to say nothing of the demands of humanity, the legislator should look first into the causes which brought to this citizen of ours enforced hunger and idleness and seek to remedy the same rather than to devote his entire time to throwing protection around the feasters.

WILLIAM E. BORAH.

JEAN MOREAS.

BY WILLIAM ASPENWALL BRADLEY.

WHAT real relation have blood and race to the genius of the poet, and what do we mean when we speak of nationality in connection with art and literature? These questions and others of a similar character are suggested by a consideration of the career of Jean Moréas, the Parisian poet who died the other day at the age of fifty-four. We say Parisian and not French advisedly; for while Moréas was assuredly a Parisian by every quality of taste and temperament, he had of the Frenchman absolutely nothing but the passionate devotion, stamping all the work of his imagination, to the traditions of a literature that was his merely by adoption. Chénier was Greek on his mother's side only, while Moréas was altogether Greek. Yet of the two, it is no exaggeration—and certainly it is no particular praise—to assert that in exclusiveness of national inspiration the latter was far more French than the former. Chénier sought to compass something of the form and spirit of the Greek and Roman poets, and more nearly than any of his predecessors and contemporaries did he succeed in realizing that classical ideal which, and not the continuity of a national tradition, was the conscious aim of the age. His poetry is simple and direct in its expression, clear and harmonious in its design. That of Moréas, on the contrary, in all but its latest phase, is involved, complicated and obscure. He spurned the models of antiquity that were his peculiar heritage even more than they were Chénier's. He, too, made his return to the past, but it was to the past of the Middle Ages and the Renaissance, of Thibaut de Champagne and Ronsard, rather than that of Theocritus and Simonides. Of course he knew the poets of his own race too, but their influence was felt by him indirectly, at second hand. As one of the best of his critics, M. André Beaunier, has said:

"He sees antiquity only across the Renaissance. . . . In the soul of the Greek and of the scholar, mythology has left memories of enchantment, and the very names of the learned daughters of Nerea have for him the charm of the divinest evocations. . . . But he is also 'l'élu des Nymphes de la Seine,' and, involuntarily, he somewhat disguises Hellenism with the finery affected by the humanists, and this gives a singular grace to the exquisite eclogue of Galatea, where the sober and powerful poetry of Theocritus is mingled with the pretty coquetries of the French pastoral and the excessively refined courtesy of the Renaissance elegies."

M. Anatole France has written in a similar strain:

"He [Moréas] has been nurtured on our old romances of chivalry, and he seems to wish to know the gods of ancient Greece only under the refined forms they assumed on the banks of the Seine and the Loire in the time of the Pléiade."

And Moréas loved the soil itself no less than the songs that sprang from it. He made himself not only a Frenchman, but a provincial, this amazing Greek, for whom patriotism was so purely a thing of the spirit that he could select his own fatherland and appropriate all its past for his own pride and uses. M. Rémy de Gourmont speaks of the Ile de France as that "province which M. Moréas has elected among all others, whose manners he adopted and which he loves perhaps more even than his native Greece." The same critic quotes the poet's saying that "the contemplation of the Seine and the repeated reading of the twenty-fourth canto of the Iliad are the best teachers of the sublime, by which I mean measure in strength." And again: "The day when I first loved the Seine, I understood why the gods had caused me to be born in Greece." One might almost believe that in this strange and ideal passion for the songs and the soil of an alien land there was the mysterious manifestation of a memory older than the individual; that in the veins of the Greek poet of the nineteenth and twentieth centuries there flowed an obscure strain of French blood from the days of the Fourth Crusade, when the followers of Villehardouin and Champlitte overflowed the land of Hellas and founded their brilliant but ephemeral principalities of Athens and Achaia.

But if there was any such cross in the strain its presence is not recorded. Moréas, whose real name was Papadiamantopoulos, and who was born in Athens in 1856, was, according to the bio-

graphical notice in the latest edition of "*Poètes d'Aujhourd'hui,*" descended from two great families of Greece. His paternal grandfather died heroically at the siege of Missolonghi, while his mother's father, Tombazis, gained glory by burning the Turkish fleets. The father of the poet, who was still living in 1908, at an advanced age, was a distinguished jurist and an attorney-general. Other relations of the poet hold high places in the Greek army and parliament. Moréas received an education that was mainly French. He once said to the editor of a French paper:

"It was with your poets that I passed the happiest moments of my early youth. I read them constantly, and before I was ten years old I had already promised myself that I should sing like them on a French lyre. When, on the morrow of the war [Franco-Prussian] I left my country to come to France, I left at Athens a library of two thousand volumes, the works of almost all the poets of the Renaissance and of our best classic authors."

Like Maeterlinck, who also nourished his youth on French literature, Moréas was destined to the law, but while the obscure Gandois came to Paris to escape the career of a petty advocate, the Greek arrived there in accordance with his father's wishes that he should fit himself for the magistracy. "At Paris," he wrote, "I followed vaguely the course at the Ecole de Droit. . . . But I abandoned myself to the demon of poetry and frequented the artistic and literary circles of the Quartier Latin." Three years of this life determined his future as definitively as did the few months which Maeterlinck passed a little later in similar society on the left bank of the Seine. Henceforth it was as impossible for Moréas to live in Athens as it was for the Belgian poet to resume his quiet bourgeois existence in Ghent. He tried it for a brief period, then returned to Paris, and did not visit Greece again for twenty years, although in the mean time he had travelled extensively over the countries of central and southern Europe.

Moréas made his début as a writer in 1882 in a little journal, "*La Nouvelle Rive Gauche,*" afterwards renamed "*Lutèce.*" Verlaine had returned to Paris the year before, and M. Lepelletier, in his life of that poet, has told how the author of "*Fêtes Galantes*" and "*Sagesse*" gradually drew around him the group of young men who were seeking to revive the poetic movement which had been quiescent since the war and the Commune had

dispersed the Apollos of the "Parnasse"; and how he gave to them the gospel which they awaited, in the "*Art Poétique,*" with its now famous doctrine:

> "De la musique avant toute chose,
> Et pour cela prefère l'Impair
> Plus vague et plus soluble dans l'air,
> Sans rien en lui qui pèse ou qui pose."

Moréas was one of this original band of *décadents,* and the influence of Verlaine, as well as of Baudelaire, is felt in his first collection of verse, "*Les Syrtes,*" which appeared in 1884. This was followed in 1886 by a second, "*Les Cantilènes,*" in which the ascendency of another master, Mallarmé, is noted in the definite place accorded to symbols.

It was, indeed, in this year that the symbolist movement was formally started. A writer in the "*Temps*" had attacked "*Les Poètes Décadents,*" and in the "*Figaro*" Moréas published a manifesto in which he defended the new tendencies, and proposed the substitution of the word symbolist for *décadent* as the official designation of the poets in whose work these tendencies declared themselves. At the same time, he began the publication of a paper thus styled with Gustave Kahn and Paul Adam as his collaborators. Differences of opinion developed early as to the importance of the place held by the symbol in the new æsthetic, some, notably Kahn, maintaining that metrical reforms were paramount, and that the "*vers libre*" was its distinguishing trait. But there can be little doubt that the symbol, or as we should say, rather, the image or the "conceit," however variously defined and interpreted, was the keynote of the new school. Stripped of its rather mystical and esoteric statement, symbolism as preached by Moréas was merely a plea for a type of poetic art at once more purely intellectual, more ideally imaginative than that which had obtained hitherto—a type of poetry suited to the requirements of an age which, nauseated by naturalism and disturbed by a vague spiritual unrest, was turning once more to German metaphysics, and finding in music its most intimate medium of artistic expression. An atmosphere of abstraction enveloped the minds of the young; the national disaster and the chaotic and unstable political conditions generated a disgust for life and prompted a pursuit of the ideal; the spirit of the Commune, still abroad, operated to bring about a certain lawlessness in fields

where there could be no repressions and reprisals, and where precious traditions of the past could be broken and abrogated with impunity. Exotic influences, exerted by growing attention to foreign literatures, by the very presence in Paris of representatives of these literatures, Belgian and American, with their fresh enthusiasms, newly awakened creative ardor and greater freedom from trammels of all kinds, also served to give impetus to the movement, to shape and define it. As formulated by Moréas, this movement opposed the Parnassian and naturalistic theory and practice principally upon the ground that these considered any given fact as existing poetically in itself. The symbolists themselves regarded the fact as poetically significant only in so far as it was capable of being employed, by virtue of the analogies discernible between all things, to clothe the pure idea and thus to interpret it to the imagination. The so-called "metaphysical" poets of the seventeenth century in England were thus symbolists, and Shelley, who, as the late Francis Thompson pointed out, was their continuator, was also a symbolist. And if the French symbolist sought to establish a veritable system of figurative expression, basing this system upon a metaphysical conception of analogies as an actual chain of relationships existing antecedent to and independent of the artist's perception of them, this must be attributed to the innate logical propensity of the French mind; while, if he loved to impart a tinge of mysticism to his æsthetic, to accord to his symbols a neo-Platonic or Swedenborgian scope and significance, this must, in turn, be explained in large measure as a momentary protest against that positivism which had so long limited the nineteenth-century man's outlook on life and sealed up in him all speculations concerning the unknown and the invisible.

As a matter of fact, there was very little of the symbolist in this mystical and esoteric sense in Moréas, even while he was the standard-bearer and theorician of the movement. As M. Beaunier points out, the majority of his so-called symbolical poems are merely "unexplained allegories whose interpretation is easy and plausible." Symbolism meant for him primarily what it also meant for his master Mallarmé, namely, a kind of rhetoric, the secret of whose acceptance in both instances lies in a deep-seated disgust conceived for the facile composition and the banal style of the poets who win the approbation of the crowd. Where

Moréas is obscure, therefore,—and he is hopelessly obscure at times,—his obscurity results less from the depth of subtlety of his thought than from a conscious effort to achieve perverse eccentricity for its own sake. At times, indeed, he is obscure from other causes, as, for example, from a youthful desire to experiment with the power of words and of symbols to suggest certain sentiments through their sounds and associations. Behind him, as behind nearly all the poets of this group, is divined the presence of Poe, whose subtle essays in this direction were eagerly imitated, and whose processes were applied with a supple perfection of art and a variety of precise and delicate evocation of which Poe himself never dreamed. In poetry of this type, whose verbal color and music is well suited to express otherwise inexpressible shades of feeling, Moréas excelled. Such poetry is necessarily obscure, since its appeal is wholly to the emotions. But obscurity is out of place in poetry dealing with ideas, and to cultivate it deliberately is a puerile affectation. It was, moreover, in the case of Moréas, an affectation wholly foreign to his real nature in which vigor and lucidity were combined with an Hellenic appreciation of plasticity and sensuous beauty. He was not a metaphysician, but an artist.

"He is obscure," wrote Anatole France, "and one feels that he is not obscure naturally. On the contrary, he places his hand without hesitation upon the exact term, the clear image, the precise form. And yet he is obscure. He is so because he wishes to be so; and if he wishes it, it is because his æsthetic wishes it."

Conscious himself of the inherent falsity of his position, Moréas soon completely discarded this æsthetic, and with a blithe egotism that was a characteristic of the man, hastened to declare that symbolism no longer existed since he had ceased to be a symbolist. In its place he proclaimed another school and published a third book of verse, "*Le Pélerin Passioné,*" to illustrate its principles. This was the "*Ecole Romane,*" which has been the source of endless critical discussion and of much abuse of its founder by his old associates, who declared him a renegade and traitor. The purpose of this school was to re-establish the true tradition of French poetry which Moréas believed had been broken by Malherbe and the seventeenth century. In this belief he was principally swayed by linguistic considerations. Barrès called him "the grammarian poet," and the description fits him, for he at-

tributed an overwhelming importance to the rôle of language, both syntax and diction, in poetry. Reacting from the Parnassian position that facts existed poetically in themselves, he virtually maintained the same of words and forms of expression, namely, that they are not merely the product, the vehicles, but the very sources, of the ideas and emotions which it is the function of poetry to express. Hence his growing indifference to symbols as such. Symbols exist in words. Syntax is symbolic. It is, therefore, idle to preach symbolism until we have enriched our vocabulary, rendered our grammatical construction more supple, so as to render the language itself symbolic to the very fullest extent.

Comparing the poets of the so-called classic ages, of the romantic period and of the present, Moréas was struck by the progressive impoverishment of the language since the attempts of Ronsard and Du Bellay to develop its resources. A wealth of admirable words had been allowed to become obsolete and syntax had grown rigid and conventional—*sans race.* Moréas conceived the idea of restoring the decrepit and anæmic language of the present by deliberately drawing upon the resources of the Middle Ages and the Renaissance, and continuing the work of the Pléiade in still further enlarging these by direct derivations from the Latin. As a mediævalist Moréas may be compared with William Morris, and perhaps the best way to gain an idea of the "*Ecole Romane*" and of Moréas's *chansons romans* is to imagine what the result would have been had the English poet carried his passion for archaism to the point of writing the "Earthly Paradise" in the very idiom of Chaucer. Had he done so, it will scarcely be believed that he would have won many readers, or that the language of to-day would have been really rejuvenated. Spenser, it is true, formed a special semi-Chaucerian diction for "The Faery Queen," but this is a slight matter compared with the proposals of Moréas; and besides, while, unquestionably, this tinge of archaism contributes to the charm of Spenser's naïve and languorous verse, it is by no means a main element in its strength and beauty. Also, it had no effect upon future productions. The Spenserian grace became completely attenuated in the school of Spenser, and both in that poet and in Shakespeare the wonderful enlargement of the verbal resources of the English language was due less to the deliberate attempt to forge a new instrument than to the inevitableness with which, in an age of intellectual and

emotional activity, this instrument shapes itself spontaneously in response to the new and increasing demands made upon its faculty of expression. Language is nothing apart from the mind that employs it normally as its unconscious idiom; and the only way in which a language can be naturally, and not artificially, enlarged and enriched is through some influx of new thoughts and new feelings. M. Beaunier has stated the conditions that govern such an experiment as that made by Moréas clearly and concisely when he says:

> "If by a miraculous chance it happened that the language of the Middle Ages and the Renaissance was exactly what our epoch needed such an attempt at resurrection would succeed. Otherwise not. Otherwise a resurrection of this character is a curious exercise of erudition—that is all."

The failure of Moréas's own experiment is placed beyond the question of a doubt by the verdict of the same critic—and, of course, it is only a French critic who can pass conclusively upon this point—that while not all the poems in the "*Pélerin Passioné*" are equally archaic, certain of them are utterly incomprehensible to any one who has not studied old French. Thus from the obscurity of rhetorical symbolism Moréas passed promptly to obscurity of another sort—the obscurantism of the scholar and linguistic expert. At the same time, he proposed certain reforms in versification of which it is unnecessary to say anything here, since the French system differs so radically from the English that the points involved are without special significance for us. Our prosody is already so free that attempts to free it still further, though such have been made by Robert Bridges and others, appear far-fetched and supererogatory. Any English poet may write practically as he pleases so long as he justifies the result to our ear. If anything, we enjoy too much freedom, and if any reform is needed at all it is one that will lead back to the practice of the poets from Waller to Pope. The rigidity of French metricism, bound down as it is by rules at every point, has, on the contrary, always very naturally led to revolts which are wholesome and necessary, since they are the one means of preventing French poetry from degenerating into that sheer formalism towards which it fatally tends. It is for this reason that Walt Whitman has exerted an influence far wider and more profound in France than in either England or America. For, whereas to us his shapeless

style is apt to appear merely slovenly, in France it has seemed an admirable example of "natural" poetry, a splendid symbol of revolt. Not Moréas, however, but, as we have said, another poet, Gustave Kahn stood principally sponsor for the "*vers libre.*" The former simply coquetted with it for a time and finally abandoned it altogether, saying that he had perceived it to be "uniquely material and its effects illusory."

Moréas abandoned the "*Ecole Romane*" itself before long, for his convictions were in so constant a state of flux that no creed could remain permanently the expression of his ideas and purposes. The one thing that gives unity to this somewhat eccentric career of a poet perpetually in quest, is the idea of traditionalism that dominated him. He believed that there was a main tradition of French poetry from which the race had departed at some time, and that it was his business to discover this, to revive it and to carry it on for his age in his own poetry. Not finding it in romanticism or in such poets as Baudelaire, Verlaine, and Mallarmé, he had, as we have seen, travelled back up the centuries to those periods of the remote past when language and prosody were in their formative stages. But, as he said later: "My instinct was not slow in warning me that it was necessary to return to the true classicism and to true antiquity, as well as to the severest traditional versification." Thus the poet who formerly could not get enough of freedom suddenly turned about and subjected himself to a discipline of technique and imagination as severe as that inculcated by Malherbe and Boileau. The verses in the volume entitled "*Stances*" and all his subsequent work are of exquisite purity without a trace of archaism or affectation in the phrasing or in the diction, while the verse structure is absolutely regular both in the scansion of the line and in the arrangement of the rhymes. It is as though Donne or Cowley had in a moment taken to writing like Gray and at the first stroke succeeded in producing an "Elegy." These little poems of two and three stanzas each, in which complete yet voluntary restraint as to form echoes, and is allied imaginatively with a corresponding restraint in the expression, may, indeed, be more properly compared to the "Elegy" than to anything else in English poetry. Like it their language and their ideas are not of any one period, but are stamped with a certain universality. Both poets are artists in words, and their studies throughout the entire range

of their respective literatures chastened their style to a point where it may truly be called traditional—that is, it expresses the genius of the language with such purity that in ceasing to be representative of any one period it becomes representative of all periods. Like that of Gray, the philosophy of Moréas is pessimistic, not in the metaphysical German manner, but rather in the moral mood of antique stoicism. More personal than the English poet's, Moréas's verse contains fewer commonplaces of mortuary meditation and more glimpses of the poet's own soul. This element of spiritual autobiography makes the poems more interesting than the "Elegy" and helps to offset Gray's superiority in pictorial imagination.

Examined from the point of view of what they express, the "*Stances*" differ less from the poems that preceded them than they do in form. It is only the manner that has changed. The pessimism that arises from temperamental bias or intellectual scepticism and issues in indifference to life as such, while, doubtless, time deepened it by adding disappointment to disillusion, underlies all of Moréas's work from the beginning and is implied even when it is not expressed in so many words. Life was for him always "*l'exécrable vie,*" and the idealism of symbolism and *décadence* for him, as for his fellows of these schools, represented an attempt to escape from the ugly and commonplace realities of this world into a dream world of his own. That is one reason—perhaps the main reason—why both Morris and Moréas persisted in seeing antiquity through the Middle Ages and the Renaissance. Viewed thus, its unreality—the unreality of nymphs and river gods, sirens and sylvans—becomes still more fantastic and affords a still readier release for the mind through the imagination. Morris presented himself to his generation as "the idle singer of an empty day"; and just as he asks with an infinite sense of the shadowiness of human things, "what sorrow can outlast a little song?" so Moréas proclaimed it as the function of poetry

"A couvrir de beauté la misère du monde."

This mood merely condenses itself more specifically in the "*Stances*" and assumes the graver, weightier and more positive expression of maturity. The secret of the stoical acceptance and restraint, the contentment with apparent realities in place of

the *paradis artificiels* with which youth sought to drug itself, all arise from the growing conviction that life itself is but a dream—or less.

"Ne dites pas: la vie est un joyeux festin;
Ou c'est d'un esprit sot ou c'est d'une ame basse.
Surtout ne dites point: elle est malheur sans fin,
C'est d'un mauvais courage et qui trop tôt se lasse.

"Riez comme au printemps s'agitent les rameaux,
Pleurez comme la bise ou le flot sur la grève,
Goûtez tous les plaisirs et suffrez tous les maux
Et dites: c'est beaucoup et c'est l'ombre d'un rêve."

This is often called a decadent philosophy, but it is a philosophy in which great minds have shared, and it comes close to the thought of two poets as different from each other in other respects as Calderon and Shakespeare.

Moréas's last work was a tragedy, *"Iphigénie,"* based directly upon the classical model of Racine. This was given in 1903 at the Théâtre d'Orange, and subsequently at several other theatres in France and abroad, including the Odéon at Paris and the Théâtre Royal at Athens—the last performance affording a fitting consummation for the career of a poet who began by abjuring the divinities of his own Olympus for those of the Seine, and who ended by blending the spirit of two classics—that of Euripides and that of Racine.

William Aspenwall Bradley.

WILL TRADE TRAINING SOLVE THE CHILD-LABOR PROBLEM?

BY OWEN R. LOVEJOY.

THE beginnings of social activity against child labor in this country have been chiefly by repression and compulsion. Perhaps necessarily so. At least such was the programme followed for nearly a century by England and other European countries. But it would be unfortunate to regard them as other than initial steps.

The employment of children, many of them extremely young, has become a part of our industrial system by a gradual and almost unnoticed growth. This was due, we believe, to the operation of a natural economic law coupled with the general lack of public recognition that America has ceased to be exclusively an agricultural country and has become intensely industrial, rather than to any abnormal excess of greed or cruelty, as often charged. The sturdy farmer, merchant or professional man, who boasts himself the glorious example of all child labor because he went to work at eight years old and has been self-supporting since, for many years dominated the situation. His assumption that all child labor is to be promoted because work on the farm, or in the country store, or in his father's or neighbor's office was a benefit to him, expresses the point of view of a large number of our citizens towards a system grown to such proportions that, by the latest census among the 1,750,189 child-workers, not less than 688,207 children under sixteen, 186,358 of whom are under fourteen years of age, are in industries other than agricultural.

The Census Bureau is acknowledged to be imperfect because of lack of facilities for collecting accurate data. But beyond this, some industries were omitted in which child labor is particularly involved. For example, a recent report of the Bureau of Labor in New York State shows a large number of children,

some as young as four or five years, employed in the various home industries in New York City, whereas none of these children under ten years are reported by the Census Bureau. Only twelve cities in the United States are shown in the census to have newsboys. These number 668. But by returns just received from authentic sources, there are to-day not less than 17,000 children engaged as newspaper carriers in thirty-three of our cities. Many of these are as young as six or eight years. Boston alone shows three times as many as were reported for the entire country by the Census returns.

When it became evident that a system had fastened itself on society which added every year several thousand youth to the army of those unfitted for any but the most unskilled and precarious occupations, it seemed necessary to seek measures more immediately effective than the tardy general appreciation of the proper use of the years of childhood. Among the first activities of the National Child Labor Committee on its formation six years ago was a careful and systematic field study in a number of sections and in various industries of the extent of child labor and the specific conditions in which many children are employed. Studies were made and carefully reported of child labor in coal-mines, glass-factories, textile-mills, and in the mercantile establishments and street trades of many larger cities. Although the reports collected frequently disprove the sensational stories of cruelty and oppression that have so often shocked the credulous, they confirm the convictions of school officials and other interested authorities, and the reports of serious students in earlier days. The net revelation of the various investigations has been sufficient to convince legislators of the necessity of putting a legal check on the system without waiting for a complete and scientific arraignment of the evil. The result has been that, at present, in every State of the Union, with one exception, there exists some form of legal prohibition or regulation of child labor.

In the effort to secure these better laws, those representing the industries affected have been frequently the chief promoters. There is a growing disposition among employers, who recognize the short-sighted policy of child employment, to seek the aid of society in bringing competitors up to their own higher standards.

We are repeating the history of factory regulation so long ago promoted by Sir Robert Peel, Robert Owen and other leading manufacturers in England.

The larger social aspects of this problem—the weakening of citizenship and the cheapening of industry itself—are beginning to appeal as motives for action in addition to the mere sense of pity for the wrongs of childhood, which was the chief earlier motive. Through public interest, the beginnings of which date from the earlier activities of trade-unions, women's clubs, consumers' leagues and many earnest individual workers, there have been enacted important child-labor laws in the past five years in thirty-eight States and the District of Columbia. In the legislative sessions of 1908-09, seventeen States enacted new laws or revised existing laws. Five of these States are Southern. Since January 1st, 1910, important changes in these laws have passed the Legislatures of Kentucky, Virginia, Maryland, New Jersey, Rhode Island and Massachusetts, while other important bills are pending in Massachusetts, New York and Ohio.

But we must not be misled by this somewhat formidable record of legislative enactments. The end we seek, namely, adequate preparation of the American child for citizenship, is not attained, but only made possible of attainment by such prohibitions; and it is significant that, although child-labor laws reduce the number and force an improvement in the condition of working-children, the field of usefulness of such measures is limited by their repressive nature. Multitudes of people affected, whether employers, parents or children, resent these laws and look on them as detrimental, while an army of officials is required to secure their enforcement against the connivance of these three interested factors.

This negative legislation has been accompanied in most instances by positive laws for compulsory school attendance. In all the States having child-labor laws compulsory school attendance laws have been enacted except in Alabama, Florida, Georgia, Louisiana and Texas. The effectiveness of such laws is strikingly attested by the steady growth in the number of commonwealths adopting them. In 1870 less than five per cent. of the population were subject to compulsory school laws. To-day over seventy-two per cent. are subject to these laws.

But this fact is of slight significance compared with the dis-

tribution of the benefits of public education. The United States Department of Education in 1900 reported that over fifty per cent. of all public-school pupils were in the first and second grades and were less than nine years of age; 87.5 per cent. were in the first five grades and under twelve years of age. Referring to the amazing achievement of a system of education which enrolls over 16,000,000 pupils and is maintained at an annual expense of over $300,000,000, the Commissioner of Education, in his report for 1908, says:

"The mere ability to read and write indicates, however, a very slight remove from crass ignorance, and a large proportion of our people are in danger of stopping at this point. The early withdrawal of pupils from school is a fact universally recognized, although up to this time there have been few systematic investigations as to the extent and the causes of the evil. Such investigations as have been attempted relate to particular cities, differing widely in respect to growth and movement of population. It is, however, significant that they all indicate a marked decline in school attendance between the fourth and fifth school years or grades, and continued decrease thereafter." (Report of Commissioner of Education for the year ending June 30th, 1906.)

What would be gained by the addition of a few grades to the period of average attendance may be matter of debate. Popular criticisms of the public school are familiar, and the jokes upon the examination papers of students of doubtful cephalization have frequently been arrayed in condemnation of the whole public-school system, which our country has built at so heavy a cost. Despite these strictures, we venture the belief that the American people are not yet ready to abandon these establishments for mental culture. Our hope rather lies in a vigorous pruning and grafting of the "tree of knowledge."

The findings of the Massachusetts Commission on Industrial and Technical Education have been largely quoted. They are significant of what probably occurs in other States at the end of the compulsory school period. In Massachusetts there are 25,000 children between fourteen and sixteen not in school, five-sixths of whom did not complete the grammar school, one-fifth did not complete the seventh grade and one-fourth did not complete the sixth grade.

The statement was recently made by a leading educator in Massachusetts that from the army of 20,000,000 children attend-

ing the public schools of the United States during the school year, there would be at least 5,000,000 deserters before the roll would be called at the beginning of the following school year. It is of the greatest importance to discover the cause of this desertion; why there is such a decrease in school attendance after the fourth grade; why such impatience for the last day of the compulsory school period to come; what the attractive feature out of school and what the future of these deserters.

Unquestionably the majority become, temporarily or permanently, wage-earners, either from family necessity or because work promises less monotony and irksomeness than school attendance. The responsibility seems to lie mostly with the child, for out of 3,157 families investigated seventy-six per cent. could give the children industrial training and would gladly do so were it offered. In many instances the parents were found to be spending in supplementary lessons, such as commercial branches and music, as much as the child's income.

It was found that these children seldom receive over five dollars a week before they are seventeen, and reach the maximum wage of eight to ten dollars at twenty years of age. It is estimated that for every one going into an occupation advantageous to the employee, four enter a cotton-mill or become messengers or cash-girls. Moreover, it is rare that one goes from an unskilled to a skilled trade. Out of the fifty cases between seventeen and twenty years of age employed in Cambridge in skilled industries, only one had formerly been employed in unskilled labor other than errand and office work. Boys were rarely found in printing-houses who were formerly employed at other work, and this was true of mechanics, plumbers, painters, glass-workers, plasterers, masons and stone-cutters.

A comparison was made of the aggregate wages at eighteen years of age, of children leaving school at fourteen and at sixteen. The results showed that even with the faulty education now afforded, the child of sixteen goes from school so much better equipped as a wage-earner that in two years his earnings aggregate more than those of the child who left school at fourteen and has been working four years.

Why do such unsatisfactory and poorly paid employments lure children from school? The desertion seems mainly due to posi-

tive dislike of school life and a wish to be active. Influenced by their companions, children have a strong ambition for money of their own. A compulsory elementary education which results in such distaste for school that children prefer to enter some unskilled labor, which wastes from two to four years of adolescence for an insignificant wage and leaves them stranded at twenty, has missed the purpose of education. Some helpful facts they may have gleaned, but there has been little influence in shaping their life and ideals. The most common deduction from the investigations made is that "many of these children would be in school if the school promised preparation for some life pursuit." Our problem is to supply the attractive power in our educational system that will prove the complement of prohibitive legislation and compulsory elementary education.

The adaptation of our educational system to earlier needs in our civilization is well known, but we may as well face the fact that it is at present class education, for the great majority of our youth enter manual trades, while our schools in the main furnish only preparation for professional life. In a recent paper which appeared in the "Atlantic Monthly" Dr. Paul Hanus describes our present educational system as "general" in contrast with the excellent system he advocates. In our judgment our schools are not providing a general education, but a special class education.

All the dominant characteristics of the regular school method tend to train children to avoid occupations which command the services of at least ninety per cent. of our population, while they are urged by precept and example to seek eagerly the employments of the other ten per cent. The recruits for our industrial army receive comparatively little of the time or money expended upon our public schools.

Educators are giving their best thought to the task of adapting our public-school system to the needs of an industrial society, and many steps are being taken in this direction. In 1890 thirty-seven city school systems reported as having manual training. In 1906 there were five hundred and ten. Trade schools are being instituted in many cities and State Legislatures are rapidly making appropriations for industrial and trade training.

We need not here discuss the excellent programmes which are

being suggested by leading educators, covering as they do the introduction into our elementary schools of practical work with an industrial bent; the multiplication and enlargement of high schools of the manual training type; the founding of trade schools which will provide vocational training to bridge the chasm between fourteen and sixteen, when so many enter unskilled industries; and continuation schools to serve the needs of those who have already entered industry with meagre preparation.

Every revision is admirable that will make our schools a part of real life and impress their practical, helpful character to such a degree that the family will prefer to sacrifice the pittance that might be received for unskilled labor, in order that opportunity may be given the child to prepare for larger usefulness and remuneration. For some families this sacrifice would be impossible because of poverty. In every such instance, in the interest of the commonwealth, assistance must be given either by private or public aid. The question as to the limit of social responsibility is a mere quibble. When society dictates that every child shall be educated, it cannot disclaim the responsibility implied.

But preparation for skilled production is not enough. It has been said that all our training to-day is a training for consumption, but nothing seems to us to have been quite so poorly done. Every worker during his vocational training should have an opportunity to learn something of the demands and conditions of labor in other industries. Only thus can he be fitted for intelligent democratic citizenship, for wise sympathy with fellow workers and for an appreciation of work and the place of the worker in the social scheme. Workers thus trained would not tolerate the inequality of profits to the actual producer and the middleman, so strikingly demonstrated at the recent New York City Congestion Exhibit.

Efficient workmanship and honest service would also be demanded. Whatever the phases through which society may pass, the purpose of education is constant—intelligent citizenship. In a society pre-eminently industrial the education must be along industrial lines, but if it ends merely in the acquirement of a handicraft it is a failure. There must also be training toward lofty industrial ideals. If we could train the coming generation to revolt against tawdry or dishonest goods, we should have some

hope for the steady elevation of our industries to a higher plane. The manufacturer is forced by competition to cater to the majority demand, and quantity is the popular goal. The true craftsman who is dissatisfied with the dishonest results of the speeding which reduces himself and his fellows to machines has at present one recourse—he can quit. What is demanded is training for the entire group to which this craftsman belongs. The very class of people who do the shoddy work buy that kind of goods. This is partly due to their cheapness, for the average mechanic cannot afford better. But let him once sense the affront to his manhood, the insult to his wife and family, the social sin he commits by taking from the hands of the merchant at any price that which is devoid of all ideals of proportion, beauty, simplicity, honesty or reasonable utility:—a new type of purchaser enters the markets of the world.

The training of the child is the main concern rather than the effect this training is to have on industries. Our public schools must be called into requisition not to train experts in single specialized trades in order to lift the burden of expense from the employer, but that the children shall become so alert and well developed as to be fit for a choice of several opportunities. A noted educator has recently suggested that "the last two years of vocational training would include specialized instruction in the trades appropriate to a given locality."

There is the danger-point. This is legitimate, if the trades that seem proper to a locality afford a fair opportunity for advancement in skill and in wages. Otherwise the boys and girls should be so fitted by a knowledge of other occupations that their future and the future of their children can never be dominated by what may chance to be "the leading industry" of the community. It is obvious to careful students that the dominant industries of a community are frequently not such as offer the best opportunity for the development of skill and advancement to self-support. In spite of this fact, is it not true that the movement toward manual training is too prone to accept the local situation as inevitable, and to seek to adjust itself rather than attempting to alter local conditions? For example, the mining of coal is a chief industry in Pennsylvania, but the child of the coal-mining community, instead of being absolutely predestined in his

industrial career, should have presented to him an industrial horizon broad enough to enable him to choose intelligently whether he will become a coal-miner. It is questionable whether the training offered the youth in some of our industrial centres can be regarded as of especial constructive value. To equip them for earlier entrance into some trade or labor which can never give promise of a living wage may be only to aggravate the evil we seek to abate.

At the present time in the United States six million women are "gainfully employed." Nearly one-third (30.6 per cent.) of all women between fifteen and twenty-four are so employed. "Statistics of Women at Work" (Census Bureau, 1907) gives figures that are startling. In seventy-two of the seventy-eight cities with 50,000 inhabitants more than one-third of all the girls between sixteen and twenty years of age are at work. In thirty-six of these cities more than one-half are earning their living, and in eight the percentage rises from sixty-nine to seventy-seven per cent. of the total number of girls.

Woman is not new to industry, but factory production has forced her out of her home if she would continue productive processes. Formerly women and girls in the home could, if necessary, materially supplement the family income by producing nearly all the necessities. To-day, if they contribute to family needs, they must find employment elsewhere.

Serious social complications have been brought about by this advent of women into industry outside the home. The standard of wages has undoubtedly been lowered, so that in many instances the whole family cannot earn what the head of the family should singly. Many hold this condition responsible for the general unfitness of the wage-earning woman for family duties and responsibilities, for the outside work she enters rarely offers any training that would make her an intelligent consumer. What shall be our attitude toward girls in industry? It would be impossible to exclude them even were it well to do so. The place they fill is perhaps suggestive of a remedy. They are found mainly, especially the younger ones, in unskilled trades, which do not afford a living wage and give no opportunity to learn a skilled trade. The report of wages of women in Pittsburg industries just published shows that sixty per cent. receive wages

less than an amount regarded as a bare living wage. At present one of two courses is open to them: to remain where they constantly lower the wages of others or enter a home of their own untrained in any particular for that responsibility.

Girls should be excluded by law from all trades which menace their physical or moral well-being, and thus jeopardize the interest of the home and of future generations. The trades remaining should be carefully selected on the basis of labor demand, opportunities for advancing in efficiency and remuneration and their effect upon womanly instincts and domestic tastes. In the trades thus selected they should receive as careful industrial training as boys. Such a course would deter them from entering industry at an age and degree of preparation which forbid their becoming skilled laborers. The unskilled trade is often more vitiating to women from the social standpoint than to men. A boy at least looks upon industry as a permanent thing and rarely fails to have some regard for his fellow workmen. The girl is apt to consider it as a temporary occupation and hence does not respect industry and her fellow worker and cares nothing for organization or any protective measures.

The excuse made for not including domestic science in trade schools now existing is that girls do not desire to go into domestic service. It is preposterous that only those girls who are willing to enter such employment should receive this training. For every girl there should be adequate instruction in the subjects that vitally affect the home. She should receive some knowledge of productive processes in general, hygiene, decorative art in its relation to the home and domestic science. Society, in order to serve its own ends, should expect each girl to be mistress in her own home, and if industrial training is provided at all, should embody domestic science not as a fitting for remunerative occupation, but as preparation for home-making. When it does not mark a girl as having chosen to be a domestic servant, undoubtedly many will choose such instruction and go out with loftier ideals of a home and with preparation for its responsibilities. The stigma now resting upon domestic science as being something necessary to be understood only by domestic servants should be removed.

Let us give all our girls the idea that home-making requires

scientific preparation or else give up the theory that the home is especially "woman's work." Incidentally, this might so develop the future directors of homes that they would bring about conditions which would make domestic service a dignified and desirable trade. It is notorious at present that in many homes no self-respecting girl can work as a domestic servant, for conditions are such as would invite speedy correction if any manufacturer or merchant attempted to maintain them in their places of business. And this, not from a deliberate desire to be unjust, but from sheer ignorance.

Both employers and organized workers are divided on the subject of trade schools under a system of public instruction. The manufacturer doubts the efficiency of workers thus trained. This doubt cannot be removed by argument, but only by a practical demonstration of the quality of workmanship. The equipment and instruction should be such that a certificate from a public trade school would mean that its holder lacks nothing that his trade calls for, save the celerity which comes only by practice. However, there is nothing to hinder the inauguration of factory trade schools when an industry so desires.

A most interesting experiment in combining practical training with education is in the team-work system, evolved by the University of Cincinnati. Students are employed alternate weeks in various factories of the city and alternate weeks in the classroom. Thus the employer has a regular shift of two workmen, while the students receive the practical training required under commercial conditions.

Organized labor fears that the public trade school will flood the labor market and increase the sharpness of competition for work. But, as Robert A. Woods has observed: "It is inconceivable that as a class school-trained workmen should not be even more jealous than others of all unreasonable encroachments upon their wage standard, and that they should not apply their additional training to the development of even more effective forms of labor organization than now exist."

All private and class interests must be forgotten in the interest of the social good, if we are to meet the problem of proper education in a democracy. Undoubtedly the manufacturer will profit by having the public, through the trade school, pay for training

his recruits and bear the cost of the material now wasted by beginners. To make the employer and not the child the chief beneficiary of such a system, to make the newer education play into the hands of great industrial interests, would be a perversion of a splendid opportunity. But while this direct benefit to the employer is acknowledged, the trained worker and society in general will reap the chief advantage if industrial training is properly directed. The trained worker will cease to be menaced by the helpless and ignorant competitor, many times the child laborer, now so often the potent tool of the employer.

Moreover, the trained worker, together with society at large, will reap the constant advantage of having offered for purchase in the markets honest products. The community will be relieved of the burden, now so heavy, of that multitude of industrial misfits whose helplessness arises from ignorance and utter lack of training for any useful occupation. Best of all, if there is placed before the youth of our nation the opportunity to learn some one handicraft in its completeness, they can never be crushed to the level of industrial machines. The methods pursued in this educational revolution must keep paramount the necessity of enhancing our most valuable social asset, intelligent citizenship.

Prohibitive legislation and compulsory elementary education open the door of opportunity for youth, but the education must be of such a character as to help the child by its attraction and lead him into such fields of skilled labor that in the education of his own children compulsion will cease to be necessary. The present demands among parents—in so far as they have been able to express their desires—are so wide-spread as to justify more aggressive steps than have thus far been taken in this direction.

OWEN R. LOVEJOY.

A CERTAIN CRITICISM OF ART IN AMERICA.

BY CHARLES H. CAFFIN.

SOME little while ago a paper appeared in "The Craftsman," entitled "Individuality, Sincerity and Reverence in American Art." It was written by the sculptor, Gutzon Borglum, who was roundly criticised for his views. The nearing completion of the Pennsylvania Railroad Terminal and the discussion concerning a new Court House justify a recollection of Mr. Borglum's criticism.

The following extracts give the pith of Mr. Borglum's arguments: "There are three elements absolutely inseparable from the production of great art—sincerity, individuality and reverence." "It is because lacking in reverence, sincerity and individuality, the monuments we have built are not our own. . . ." "Our architects have 'cribbed' every scroll and form we build. . . ." "They annually 'beat it' to Europe to gather ideas to restock their idealess plants at home. . . ." "Our country houses are fashioned after old temples, and we hawk our wares from the windows of buildings redrawn after old palaces. . . ." "The architect, like a maid-servant, draws over the great steel ribs, conceived as Nature conceives, a drabbled chemise in pseudo-Greek, Italian or Beaux-Arts pattern. Then he calls in the sculptor to 'model for him a few figures,' cautioning him that they must be characterless, 'just spots,' pure convention—something that will go with his ornament." "I do not mean," he adds, "that America is without artists, sculptors and even architects deserving the name. There are enough of each to give us beauty in such abundance that the lives of all of us would be better, sweeter and fuller. . . . But the common spirit in sculpture and architecture in America is at the top notch of mediocrity." The cause he finds in the public's apathy toward beauty and

in the fact that conditions here oppose the development of the individual and promote in its place the "machine." "The development of the individual is the end and aim of civilization; the aim and end of the United States is the machine."

The published comments on this article, as far as I read them, were with few exceptions in opposition to Mr. Borglum's views. They suggested that their writers had read the article carelessly and given no searching thought to its contents; many of them, for example, confusing Mr. Borglum's word "individuality" with "original" and "originality"—words and ideas that were not even implied in his remarks. Kenyon Cox was one of the critics who thus confused the issue; and apropos of his own bogey observed, "No art that has amounted to anything in the history of the world has been an original art." As a general criticism of the article he is reported to have said, "The article doesn't amount to a row of pins"—a curiously flippant remark to come from a painter who, in mental capacity at any rate, is a recognized leader among American artists. It is because this attitude of contemptuous indifference to the arguments advanced characterized also the rest of the adverse criticism, that it is worth while to reopen the subject and look it squarely in the face.

I approach it from the layman's point of view and address myself primarily to laymen, since in the final analysis it is they who are responsible for whatever the conditions may be. They pay the piper and have it in their power to call the tune; and, although they may leave the selection to the piper, they cannot thereby escape the responsibility.

That it may be clear from the start whither my remarks are tending let me premise that I agree with Mr. Borglum that much of the art in America—we will not call it American art—is borrowed and that for this the architect must be held immediately responsible. On the other hand, I think the force of his argument would have been increased had he taken note of evidences of individuality that are already apparent, and I propose to supply the omission.

Meanwhile, are we agreed—my readers and myself—on what we understand by this question of beauty in relation to the affairs of life? Do we value beauty as a commercial or as an ideal asset? There can be no doubt that to many people, perhaps to the majority, beauty is treated simply as a means of ostentation and

self-exploitation or of direct pecuniary advantage. A man, for example, builds himself a fine house and furnishes it in such style as to proclaim to all and sundry that he is successful to an extent superior to the run of men. He crowds the rooms with objects of art that bear witness to the enviable resources of his purse; and his wife bedecks her person with Parisian finery, which for one single season's display represents a fortune. Or a successful merchant rebuilds his store or offices that he may demonstrate the amount of his business and attract more. Or a congregation, composed of individuals who are striving for ostentation in their separate lives, erects a church that shall demonstrate to what they call their God that they are not as other men. Or the citizens of one city boast their superiority over those of other cities in the number and grandeur of their buildings. Or, again, to drop to the lower levels of expenditure, the tenant in the small flat shows she is as good as her neighbors by the number of so-called works of art with which she also crowds her rooms.

These and a thousand other examples that will occur to any thoughtful reader are but moves in the game of bluff and brag and exploitation that in society, religion and business occupies the mind of countless people in a country so rich and newly rich as this. To all such, beauty is but one of the means to the end of self-advertising; it is a valuable commodity, a commercial asset.

On the other hand, to many—to more, perhaps, than we suspect—beauty is an ideal asset. They regard it as the outward and visible expression of what they esteem worthiest. They have high thoughts concerning the privileges and duties of citizenship, and in token thereof would make their own place and hour more desirable. And not for themselves alone, but for the poor and helpless among their contemporaries and for the benefit of the generations that succeed them. They lead gentle lives and would adorn their homes also with the evidences and means of graciousness.

As at once an expression of and a help to these ideals they will rely on beauty. But under the impulse of a newly aroused democratic spirit, beauty will be interpreted in the fuller sense of Plato's definition, "The beautiful is the good, the good the beautiful." It is not enough that civic beauty shall come; the

slum must go. Health must abound as well as art; clean as well as elegant surroundings; the reduction of human misery must be achieved as well as the expression of pride and joy in life. Plato's doctrine was nobler and sweeter than the practice of his contemporaries. Their conception of art was a fabric wrought of beautiful living as well as of the expression of that life in forms of plastic beauty, but it was founded on the slavery of the hewers of wood and drawers of water. For us, however, the ideal of art must include the enfranchisement of the abject, for only so can a true democracy fully express its spirit in art. Art, in a word, properly understood, should include to-day not merely the so-called Fine Arts and arts and crafts, but the realization also of the inherent possibilities of beauty in life and the lives of all. It was with this higher conception in his mind, though his critics missed it, that Mr. Borglum wrote. Naturally, however, it was to considerations directly allied to the Fine Arts that he chiefly addressed himself. And these we are to pursue here.

I may preface what we have to say with a quotation from Richard Wagner's "The Art-Work of the Future." "The first and truest fount of Art reveals itself in the impulse that urges from Life into the Work of Art. . . . Only from Life, from which alone can even the need for her grow up, can Art obtain her matter and her form; but where Life is modelled upon fashion, Art can never fashion anything from Life." He makes it plain in the context that it is the life of the people, not of the fashionable few, that will be the true source of art. Fashion, caprice and luxury may produce "art traffic"; but it is from a common and collective want of the people, resulting in a need, which in turn stimulates the action of the artists, that true art springs. In other words, art must be a living growth that has its roots in life, in the natural inevitable conditions of its surroundings. Art, for example, in America, if it is to be true art, must be a product and expression of American needs and ideals. Otherwise, being imported from alien conditions, it is but "art traffic."

If we accept this distinction, we may fit it to the subject in hand. In a general way the notion of beauty as a commercial asset results in "art traffic," while the conception of it as an ideal asset will promote the art that grows out of and interprets the needs and aspirations of the people.

Let us examine what "art traffic" has accomplished in our midst. For no one conversant with conditions will deny that it has existed and still exists. You may disapprove of Mr. Borglum's word "cribbed" and prefer to call the architect an "importer"—probably the only American importer who does not pay a tariff on what he brings in from abroad; you may even defend his traffic with the old stock argument that it is better to copy or "make over" a good design than to invent a bad one. Waiving the point that invention need not result in badness, one may be disposed to agree, but with this proviso: that such importation is only a makeshift, temporary, we hope, bridging over the period until our architects can learn to be creators; that we will not regard it seriously as art, that, in fact, it is only "art traffic."

The responsibility for this "art traffic" Mr. Borglum fixes primarily upon the architect. And rightly so, for as matters now stand he is the master of the situation. It is true he must satisfy his client, but the latter's demands are usually limited to practical considerations; in questions of taste he defers to the architect.

Thus the latter becomes sole arbiter of the design and all decorative accessories. In the case of large contracts he usually controls also the color decorations of the building, the sculptural adornments, the selection of rugs and draperies and the design of every item of furniture and decorative fixtures. He exercises, in fact, a control, more or less despotic, over the sculptors, painters and craftsmen who may be chosen to "co-operate" with him. It is contended that this virtual autocracy of the architect is a necessary feature of successful co-operation. There must be a controlling mind. We will admit it, but immediately inquire as to the quality of the mind and its methods of control. Is it a mind given over to "art traffic" that compels the other workers to subordinate their own individuality so as to conform to the ideas that have been imported? Is it, in fact, the controlling crank in a "machine"? Or is the mind itself individual, in living touch with its own environment, sincerely alive to the needs and conditions of its time, and consequently gathering to its aid a liberty of co-operation on the part of the associated artists? In a word, is the harmony "machine-made" or a product of real, because living, art?

The highest example of "art traffic" and "machine-made"

harmony in this country has been supplied by one or two leading firms of New York architects. Nor does one overlook the immense influence for good which they have exerted on their time and place. It is through their efforts, following on those of Hunt and Richardson, that architecture in this country has come to be regarded by its exponents as a science and an art. From the first they have stood for an exceedingly high standard of taste, for a most exacting sense of refinement; and the influence of these ideas has penetrated far and wide. An air of distinction pervades everything that they have erected, but it is not an air distinguishably American. It is a foreign and an ancient air, borrowed wholly or in part from some masterpiece of the past and of another civilization.

For their motive has been frankly that of intelligent and discriminating imitators and adapters of past and foreign styles. For every one of their designs there has been a direct and conscious precedent. Nor has their tendency been toward a free and independent adaptation of principles of design. It has borrowed with almost pedantic conscientiousness what Wagner calls the "matter and the form," the result being that all accessories of decoration have been compelled into strict conformity with the spirit of the old design. The co-operating painters, sculptors and craftsmen must forget they are American, shut their mind's eye to the promptings of the American environment, and bend such individuality as they possess into subservience to the styles that originated under other conditions among foreign nations in the past. A painter, for example, H. Siddons Mowbray, must be sent to Rome, that for a ceiling in the University Club in New York he may copy the methods and motive of Pinturicchio. For the front of St. Bartholomew's in New York one sculptor, Herbert Adams, is urged to work in imitation of Luca della Robbia; another, John O'Connor, in imitation of the Gothic style.

It is not contended that these artists are blunderers who can only be kept to a "safe" course under the compulsion of being copyists. They are known to be men of conspicuous and charming individuality, but this living quality must be clipped and confined into a pedantic maintenance of the machine-made harmony. Nor is this all. The craze for precedents and slavish adherence thereto prescribe that every bit of furniture and all the fixtures shall conform to the old style adopted in each apart-

ment. For the successful merchant under this system swallows his morning coffee in a Jacobean breakfast-room, while his wife still dallies in a Watteau *boudoir;* later in the day they will dine together amid the heavy magnificence of the Grand Monarch and hold a reception in a salon decorated *à la Régence,* or, if they be alone, retire to a cozy corner in their Dutch smoking-room. Accordingly, to fit this medley of borrowed motives the artificers of all kinds must be forced to imitate. They are not allowed to take an old motive and translate it freely into the spirit of present needs and conditions; they must copy the photograph or measured drawing of some antique example. Or to the same ends Europe must be ransacked in the interests of machine-made harmony. The example of these architects has stimulated the ingenuity of dealers, until our grand houses and the contributing dealers' stores are choked with antiques or near-antiques. For as the supply of the genuine gives out the faked article must be manufactured to meet the regular demand, and Americans of wealth become the easy prey of European and American fakirs.

Apropos of this is the following story, the truth of which was vouched for by the man who related it: A Fifth Avenue firm of decorators—the name was mentioned—recently leased a château near Paris and furnished it throughout with "near-antiques." They engaged a man as "marquis," who brought with him a woman to impersonate "marquise." This aristocratic couple had met with reverses and were compelled to part with their ancestral goods. To increase the pathos of the affair, some little children were also engaged, and to insure effect without risk some English servants who could not speak French. The trap was set and presently the firm steered a rich Westerner toward it. He was just about to buy the contents of the mansion *en bloc* when the gendarmes appeared. The "marquis" was wanted as an ex-convict!

Surely this is the *reductio ad absurdum* of the craze for "art traffic." Even when it does not go so far as the gross dishonesty of the above case, is it not destructive of sincerity and individuality in all who countenance it and are compelled to conform to it? Can a system that, like a machine, grinds out art in imitation of a prescribed style be regarded as sincere? Are we sincere in our attitude toward art when we let such a system go by default as representing art in America? Would any judge or lawyer

or client be satisfied with a judgment based exclusively on common law? But if law is a living system founded on continual additions and emendations corresponding to the changes in the people's needs and conditions, why not look for the same evolution in art? Is there in America any sign of such evolution? As a matter of fact there is.

Mr. Borglum made only an incidental allusion to it when he spoke of the "great steel ribs, conceived as Nature conceives, over which, however, the architect like a maid-servant draws a drabbled chemise of pseudo-Greek, Italian or Beaux-Arts pattern." For the purposes of his argument, he cited only the insincere use which had been made of what in itself is a conspicuous example of sincerity and individuality, namely, steel construction.

It was at first an engineering problem. Some one conceived the idea of substituting the steel truss for timber beams and the steel method of construction for the arches and vaultings of masonry. The engineering mind at once recognized its application to the problem of American conditions, namely, the need to utilize to its fullest capacity the ground space. The cellular arrangement could be carried up to practically any height. This was a sincere acceptance of American conditions and an individual response to them. But did the architect exhibit similar sincerity and individuality when he set about clothing these skeletons of construction? Not at first. He was confronted with a new problem, the essence of which was height. He blundered around for precedents. The only one had been the Tower of Babel, of which no photograph or measured drawings existed. What was to be done? His precedents had to do with other conditions, involving the Greek assertion of the horizontal line, or the Roman carrying of the building a little higher by a series of columns and arches, or the Renaissance utilization of this repetition of motives for purposes of decorative effect. So at first he did what a child does with his blocks; he piled one "order" upon another. The plan was arbitrary and illogical, and its failure to meet modern conditions became more and more obvious as the height of the tall buildings steadily increased.

Then appeared a man of sincerity and individuality, Louis H. Sullivan, of Chicago. Accepting the conditions simply as they are, he sought to evolve from them a logical principle of harmony. He found it in the character of the steel construction

itself. He would convert the height itself into an element of dignity. Instead of putting a series of boxes one on top of another, he emphasized the idea of growth upward by shafts of masonry carried continuously up through the design and culminating, as a flower does on its stalk, in a spreading cup or cornice. This principle, capable of great variety of treatment, has influenced the design of many of our later buildings, though it has been unaccountably ignored in the high tower of the Metropolitan Life Building. The latter is still an illustration of the child's block system, a monument to a great opportunity of sincere and individual beauty inadequately seized.

It is not suggested that in the best examples of clothing the steel construction the architects have been under no obligations to the past. They have not disinherited themselves from the legacy of beautiful traditions, but in using old forms they are adapting them to the new design imposed by new conditions. They are not engaged in the futile effort to adapt the new design to old forms. This in a nut-shell is the difference in motive between the "art trafficker" and the artist who sincerely and individually tries to give æsthetic expression to the common and collective need of his own place and hour.

Similarly in domestic architecture the habit of importing wholesale from abroad and from past times is yielding to an adaptation of the old to the new that is marked by sincerity and individuality. The time is passing when an architect will be content to erect a French château in New York or an Italian villa on the hills of New Jersey. As the individual genius of American business is being embodied in terms of art in office-buildings, so the story of American family life is being gradually written æsthetically in our homes.

It need hardly be added that, as the architects learn to plan and design in the spirit of their own time and place and surroundings, a corresponding opportunity of sincerity and individuality becomes possible to the artists associated with them in the decoration and furnishing of the buildings. No longer shackled to precedent and forced into the groove of copyists, they are allowed a liberty of imagination and motive. They are co-operating in something which is not the *simulacrum* of a dead past, but a vital expression of the living moment. Theirs can be the sincerity and individuality which come of lively par-

ticipation in the life around them. They need no longer be art traffickers, but so far as it is in them living artists.

It is these examples, as yet few and far between, of sincerity and individuality in public and private buildings that interest the intelligent foreign critic. He is conscious of something uniquely stimulating in the American environment; he looks for some æsthetic expression of it in our art, and when he finds it rejoices as in something new and vital. For the foreign importation, whether sumptuous or tawdry, he has little or no use. He has seen the originals in their own environment and regards their imitations here as false in art and impotent in purpose. Indeed, he has often more reverence for what is fine in the American spirit than Americans themselves.

For to come to Mr. Borglum's past point, the lack of reverence in this country, it is a lack conspicuous in the average attitude as well toward life as toward art. And the latter follows from the former, for how shall a man's expression of beauty be higher than his realization of life? If the latter shapes itself to his practice as a mad race to outdo others in politics, society and commerce, how shall there be room for the play of high ideals of life and conduct? Perforce he becomes a part of a machine overwhelmed in the intricacy of the other wheels and cranks.

And it is because so many are thus submerged in machines, political, commercial and social, that they have ceased to be individuals, are no longer permitted to be sincere in their attitude toward life and have sold their reverence for a mess of pottage. Hence public opinion, which is but the aggregate of individual right thinking and feeling, is, in a place like New York, practically non-existent. Slums abound, preventable disease is spreading havoc for the next generation, and private greed befouls our streets and disfigures our sky-line, but who cares? Chained to the Juggernaut of the machine, the public has no time to care. It is the devil take the hindermost; and after us the deluge.

No; it is only when men and women in sufficient numbers reverence their individuality, and sincerely face the problems of right and true living, and exhibit in practice this reverence for high ideals, that the common and collective need of the American people will indeed express itself in an art distinguishably and worthily American. Until then art traffic will be in the ascendant.

CHARLES H. CAFFIN.

RISING PRICES: THEIR CAUSES, CONSEQUENCES AND REMEDIES.

BY PROFESSOR ALBERT S. BOLLES.

THE recent rise in prices, especially of things generally regarded as necessities of living, has stirred the people throughout the country more deeply than any similar event since the Revolutionary days. Since that time there have been several sudden and large advances, as during the Civil War, but the people did not then greatly complain because they saw justifiable causes for them. The advances during the last fifteen years in manufactured products have been the subject of much study and often unfavorable criticism, yet these have not evoked anything like the temper now raging over the recent advances in meat, butter, eggs, vegetables and other necessities of living.

The rise is the result, doubtless, of many causes operating in a varied manner. While there has been a rise in prices abroad during the last fifteen years, it has not shown much relationship with advances in the United States. The foreign rise has not been so great and the variations have been more frequent. From this fact may be drawn two inferences: first, that the cause or causes affecting American prices have been local. For, if general causes had been at work in England, Germany and other countries as well as here, advances would have been more uniform in time and amount. The recent advance in living necessities, especially, has been paralleled by no corresponding advance in other countries; in truth, by no general advance whatever; hence the conclusion that a local cause or causes are at work is outside the field of doubt or controversy. That other causes also are affecting prices will not be denied. Secondly, that gold is not the all-important price-making factor asserted by some persons. For as

the larger gold-supply has enriched every country, it should have driven prices upward with some degree of uniformity on all the shores of exchange.

One of the causes affecting prices is the enormous addition to the wealth of the producing class, either owned by them or at their command. For many years in the history of American production the farmer, the cotton-planter, the manufacturer, was obliged to part with his product at the earliest moment, because he was always in debt and needed money to pay interest, employees, for raw material; in short, for all business and household expenditures. Always feeling, therefore, the pressure to sell, he could not long withhold his product for a better market. To accumulate goods was both costly and risky; and capital, if desired, could not be borrowed for such a venture. For the much longer period of our national existence this has been emphatically the buyer's market.

At last, in the fulness of time, a change has come. Farmers have paid off their mortgages; many of them have invested money in new enterprises. If farms are still mortgaged, as many of them are, the new obligations are incurred for purchasing additional lands or for other undertakings. Released from bondage to the interest-receiver, with adequate means to pay the cost of raising crops and to maintain household expenses, farmers can now hold their produce until the highest price is within reach. Or, if not having sufficient means to do this, as their prosperity has evolved credit, banks will lend to them all the money required. Any newspaper reader may learn that many farmers are now holding back their wheat, believing the price will be higher. A few years ago no one ever read of such a movement; farmers sold their grain at the first opportunity. Now elevators everywhere mark the wheat-growing regions in which farmers can store their wheat and get advances, if needed, and thus wait until the harvesting of the next crop, or even longer, before parting with their wheat. The market, therefore, has become the sellers' market, nor is any danger mark within sight to disturb their control.

The cotton-grower this year has the advantage of a short crop; the fact is everywhere known, and he, like the farmer, has taken advantage of the situation. A few years ago, if such an event had happened, his need of immediate means to pay his debts was

so great that he would have been obliged to sell; the middleman or cotton manufacturer would have reaped the profits. To-day, he is free from the tyranny of debt, and if, like the farmer, he wishes to retain his cotton for a few months or longer he can store it and wait. If needing money, he can pledge his cotton to a bank. The cotton-market, therefore, is no longer the buyer's; the cotton-grower can meet him on even or self-advantageous terms.

The completeness of control possessed by the American Sugar Refining and Standard Oil Companies over their respective products, no one will question. Whether they are demanding excessive profits from consumers is not so clearly known. The price of oil is declared by those who profess to know much too high; by others, who are as well informed, reasonable. The Sugar Company in its last report stated that the cost of raw sugar during 1909 was four cents per pound and the price of granulated 4.76 cents, a sum that does not appear to be unreasonable.* On the other hand, their report shows a surplus of $25,576,936 after declaring the usual dividend, which seems to be strong proof that the business is highly prosperous.

Passing to the manufacturers of metal, textile and chemical products, a similar deduction is within the truth. Not long ago most of them possessed inadequate capital and were often dependent on their commission houses for means to carry on their business. In the earlier days the commission house was a most important link in the chain of production. It furnished the means directly or obtained the means from banking institutions. Then goods must be sold to pay advances on them; the risk of loss from decline in price or from the ceaseless claim of the interest-receiver was too great to justify keeping them hardly beyond the demand of the first customer. If he did not soon appear, they were put into an auction house and forced on the market. Thus the manufacturer's lack of insufficient capital to

* SUGAR PRICES, 1905--1909.

Year	Raw 96° Polarization	Average	Refined Granulated	Average	Differ.	Average
	Cents		Cents			
1905	4.278	—	5.256	—	.978	—
1906	3.686	—	4.515	—	.829	—
1907	3.756	3.960	4.649	4.28	.893	.868
1908	4.073	—	4.957	—	.884	—
1909	4.007	—	4.765	—	.758	—

pay for stock, for his pay-roll and other essentials, was always pressing on him and compelling him to sell, thus giving the buyer a distinct advantage.

To-day, manufacturers of every class have become rich, and, if needing money, can borrow directly from banks; the commission house is no longer an indispensable wheel in the machinery of production. The textile manufacturer deals directly with the great department store; the metal manufacturer with the builder, railroad company or other consumer; many agents or middlemen have been eliminated. Thus possessing all the means required to produce and hold their goods, manufacturers are no longer placed at a disadvantage in selling them. More often than otherwise of late years they have dominated the market, though not so perfectly as the producers of living necessities, and never will probably for reasons soon to be given.

In this great change banks are potent factors. They are numerous and opulent, having nearly $15,000,000,000 deposits. A very considerable portion of this vast sum is at the command of producers—as much in truth as they require. Not many years ago the banks were fewer and their resources smaller; on the other hand, borrowers had poorer credit and their business often was precarious. Thus, through their own greatly increased riches and those they can easily draw from banks, producers have gained a command of the markets once unknown or regarded as ever possible by them. The situation has been reversed, and while there will doubtless be fluctuations the buyer's best days will probably never return. His command of the market, if this diagnosis be correct, has been lost forever.

How effectively wealth can command a market and set aside the usual working of the great economic principle of supply and demand will appear from one or two illustrations. In 1908 an unusually large coffee crop was raised in Brazil. To put this large crop on the market meant ruinous competition, general bankruptcy. Yet the coffee-growers must have money, for they were in debt; and creditors never clamor so loudly as when their fears of payment are greatest. The Brazilian Government at first sought to extract the coffee-growers from their difficulties by lending to them and taking their coffee as security. As the undertaking proved to be too great for the Government, the aid of American and European bankers was sought, a loan of $75,-

000,000 was effected, the coffee was taken as security and has been put on the market in quantities and at rates fixed by the sellers. So prices through this arrangement have been kept securely bolstered as if there were no excessive supply. Thus every coffee-drinker pays his homage to the potency of capital by paying a larger price for his daily beverage.

A few months ago a large number of individuals determined to pay no longer the high price for meat fixed by the great packing-houses. The demand for meat in some places fell off fifty per cent. or more. Had the old economic principle of supply and demand operated, prices would have greatly fallen. What has happened every one knows. A slight decline in some places, nothing comparable with the cessation in the demand. Perhaps if the abstainers are plucky enough, they may bring the packers to terms. Thus far they do not show signs of repentance and are continuing in their old ways very much as if the meat abstainer did not exist. In truth, the most noteworthy change in their business is an increased export of meats at lower prices while making up the deficiency in price by demanding more of home consumers.

Thus we are clearly in sight of some of the reasons for the higher prices—the larger capital owned or within the command of producers; and in many cases also the larger concentration in production.

Has the tariff raised prices? In the beginning two objects were before the authors of the system: as the cost of producing things here would be greater, the tariff was laid to enable the producer to produce them, notwithstanding the increased cost and necessarily higher price to the consumer. No one, unless he was densely ignorant, ever supposed that prices would be lessened in the beginning by increasing the tariff or that they would remain the same. The gain to the consumer, it was believed, would eventually come in lower prices than would prevail if foreigners controlled our market. By the invention and application of labor-saving machinery and other economies the cost of production has been vastly cheapened; and by continuing the restrictive or prohibitive policy in many cases at such high rates an opportunity has been created to demand excessive prices never paralleled in the world's history. It is probably true that the last tariff has not affected prices in that manner, except the prices of a few

things like wines, silk and the like, mostly luxuries. While having a healthy fear of the way of the foreign producer, it never occurred to the founders of our protective system that the home producer would ever acquire the same way even if he had a chance. At last his chance has come, and the evidences of his utilization of it to the utmost are one of the most disquieting wonders of our day. Truly the trading animal is the same kind of being whether living in Great Britain, Germany or America; the only change perhaps wrought by time is to increase his keenness of scent for trade and his eagerness to enhance profits.

While the facts in support of this statement are so numerous that the dullest can see them, it does not follow that the removal of the tariff would reduce prices. That is a very different proposition, as will appear from a few illustrations. In 1872 the tariff was taken off tea and coffee and millions of revenue were abandoned. For a time there was much rejoicing over the workingman's prospective free cup of coffee and tea. What did really happen? That year there was a short crop of coffee; the grower, therefore, demanded a higher price and obtained it. The importer intercepted the rest of the sum formerly demanded as duty and the consumer paid the old price. There was, indeed, a slight deduction in the price of tea. More recently the tax was taken off hides, Congress supposing that the consumer would thereby be benefited. Alas! we all know what has happened. The boot and shoe manufacturer says, in defence of his conduct, there is a shortage of hides, and that the owner and importer of foreign hides have added more than the amount of the tax repealed to the price. The reduction or abolition of duties, therefore, does not logically or necessarily bring relief. Whether this follows or not depends.

Suppose the tariff of five cents a dozen on eggs were repealed, would the consumer get the benefit? Doubtless the unperturbed hen would continue her useful labors, but would not transporters, the several classes of middlemen, be equally industrious in intercepting that five cents and dividing the amount between themselves? Suppose the tariff is taken off grain, fruits and other necessities of living first. It may be that the price of wheat would run more uniformly with the price of Canadian. Would not the miller, however, absorb the difference and sell his flour at the old price? Suppose the Canadian miller should invade

our market, what then? Or suppose the railroads between the two countries should charge a higher rate? Again, if the Canadian miller became a serious competitor, would not the American miller buy his mills or corral him by a new combination? Surely there is no reason for supposing that Canadians would be actuated by different or higher motives than actuate American millers. Both doubtless will pursue courses most conducive, as they believe, to their respective interests.

Producers with respect to command over the sale of their products may be divided into two classes, of necessities and of other things. As we have seen, the first class more completely control the prices of their products than the other class. The consumer cannot wait; the producer has acquired the means whereby he can. Of course fine theories can be spun of the producer's dependence on the consumer that he can be brought to the consumer's level in due time, but such theories are poor things to raise against the present producer who is demanding his greatly increased prices which the consumer is obliged to pay. Under actual conditions these theories are nothing but gossamer fabrications of whose existence the producer rarely has any knowledge, and if he has they do not shut out enough light from his counting-room to trouble him in making his calculations.

This reasoning, however, does not apply with equal force to the other class of producers, for the needs of their consumers are less pressing, in many cases not existing at all. A few months ago there was a street-car strike in one of the great cities, continuing for nearly a month. A partner in one of the great department stores expressed his regret to me over the loss of so much trade. "But," I replied, "now that the strike is over, the loss will soon be made up." "No," he continued, "because people will get along with what they have," also adding, "Our principal profits are made on what people buy they don't want, not what they do." A consumer, therefore, who can wait, whose money is desired by the producer quite as much as his product is desired by the consumer, can exchange on something like fair terms. But when the product desired is a necessity, either to maintain life or to fulfil an industrial need, the producer has an advantage, and so far as it can be neutralized by withdrawing any advantage now granted to him by the Government, this should be done.

Relief to some extent may come from another source. As the income of the masses is limited, one of the immediate consequences of the sudden and heavy rise in the prices of living necessaries is to leave a much smaller fund for the purchase of things less essential. The producers of these are, therefore, directly and seriously affected by this change. The production of many a textile manufacturer has fallen off because the consumers of his products have a smaller purchasing fund than they had a few months ago. Producers who are struck by this diminution of their customers' funds may join in any feasible movement to reduce the prices of living necessities in order to enhance their own gains.

The most common remedy is to raise other prices. If the working-man is obliged to pay more for his flour, meat, eggs and the like than he did last year, his remedy, unless he has received them in advance, is higher wages. If a fresh demand is made by the iron and steel workers and conceded, the iron and steel manufacturer in turn demands a higher price for his products, and the movement is continued until the industrial cycle is completed. What then? All are where they were at the start. The expected relief in most cases has proved a delusion. During the last fifteen years the American people have been engaged in this circular chase. Some have profited substantially by advances because they were larger than others; many have gained nothing.

Surely this game of jacking up prices is no remedy save among those who have a distinct advantage over others and are able to maintain it under varying conditions. From this game has sprung a consequence too important to be disregarded, a spirit of greed unknown in our earlier history. Perhaps the producer who was obliged to sell to the first customer was just as eager to secure the largest profits as the producer of to-day. Whatever the truth may be, all is changed. To the modern trust must be ascribed leadership in this movement. It first began to mark prices upward, then others from necessity or because the step was more easily taken behind such great leaders, until advances in everything have become a marked feature of the time. It is true that neither a low price nor a high price is a correct measure of a higher civilization; the true goal is the fair relation of the prices of everything to each other; to-day, however, we are going away from that goal instead of nearing it. There is a hardening

of feeling between man and man, a distinct desire to get the better of him instead of exchanging on mutually advantageous terms, which was the original basis of exchange. Once the seller hesitated to raise his price, and when he did his apologies and reasons were sincere; now changes are made so frequently that the raiser cares but little what the reason may be, or whether he has any at all, except the sole desire to swell his gains.

Another remedy is by united action. This may assume two forms, one for each of the two great classes into which consumers are divided. Among manufacturers this idea is developing rapidly. The iron and steel manufacturer is buying his mines of ore, his coal and coke, and supplying as far as possible his own modes of transportation, is also enlarging his scope of production, and, doubtless, will continue until locomotives, hardware, cutlery and most iron and steel products are included. The sugar-refiner is purchasing plantations and making raw sugar. The meat-packers are buying tanneries and ere long will be making boots and shoes.

The other and greater class of consumers cannot do these things, but they can unite with others, buy directly of manufacturers, cut out exchangers and save their profits. In Great Britain co-operation has been generally successful; in this country a failure. Is there anything in the nature of things to prevent consumers from forming a great variety of arrangements for purchasing from first hands? Suppose they did and were successful, they would then come face to face with the producer, and how would they fare in dealing with him? The producer of necessaries has an obvious advantage already explained; against the producer of non-necessaries the battle can still be waged on more even terms. The hard battle of the future, therefore, is with the producer of things needed to sustain life and to continue the necessary work of production, transportation and exchange.

Lastly is the moral argument. It may be a long time before men will make exchanges on the basis of equivalents. It is no less certain that society cannot permanently endure wherever a small number possess such a clear and obvious advantage that in every exchange they can get the best of the bargain. Wherever this has happened the masses have been overcome by despair and the foundations of society have opened. It is not in the nature of man to remain content and thrive under such conditions; nor

will he thrive here. The mutual advantages arising from the division and exchange of labor, which are the foundation of industrial development, cannot be set at naught without impairing the national life and character. For a long period our protective system has been favored, nourished by the belief that ultimately the cost of production would diminish and consumers would reap the benefit from the costly sacrifices required to grow and garner the promised fruitage. At last, belief had changed into realization. Through the marvels accomplished, especially by lavor-saving inventions and improved modes of transportation, the cost of production had been greatly lessened and prices had fallen. But suddenly the cheaper products, so long desired, so briefly purchased and enjoyed, have been put for a time, perhaps for a very long time, beyond the consumer's possession. The gain promised to him in the beginning has been withheld without reason; everywhere he feels that a colossal trick has been played on him, and evil results are appearing with painful clearness—disorganization of business, rapid diminution of exports, growing unrest and increasing disappointment of the masses. No prophet is needed to foretell the outcome that must follow from these great changes. If the moral argument does not win, and no effective relief is discovered and applied, an industrial, social, political storm is inevitable. The deepening eclipse in our commercial and industrial condition is a sign which only the blindest cannot see.

ALBERT S. BOLLES.

PATENTS AND INDUSTRIAL PROGRESS.

BY WILLIAM MACOMBER.

ONE Federal department practically runs itself, pays its own bills and builds up a surplus. That department is the Patent Office. It is nearly forty years since the Patent Statute, substantially as it stands to-day, was framed. Remarkable judgment attended the framing of an act which has met the varying and increasing demands of an age of progress those legislators could not have foreseen. So perfectly has this system worked, so largely has it contributed to our industrial welfare, that it is looked upon as dependable as season, seed-time and harvest. It is almost impossible to get Congress to pay any attention to it even for small needs, for it is taken for granted that the Patent Office will go on without legislative tinkering.

Another significant fact is that our patent system is the best in the world. Its fundamental, distinguishing feature is that a patent should be granted only after rigid examination establishing the fact of true novelty and limiting the patent to a clear, sharp claim-statement of that in which such novelty resides. The patentee must not only distinguish his invention from that which is old, but he must mark the limit of his discovery in order to leave the door for improvement wide open. So valuable is this fundamental provision, it is not uncommon for foreign inventors to make application in the United States in order to determine the actual novelty of their inventions.

It may be set down at once that our patent system is sound, that change should be made only as exigency and experience dictate, and then only at the hands of experts and statesmen. But because the system is sound and should be altered only with care, it does not follow that its efficiency is what it should be. A locomotive does not need rebuilding because it lacks fuel. It

is no credit to Congress that with a one-hundred-per-cent. system and a fifty-per-cent. supply of facilities our commissioners of patents have been able to get seventy-five-per-cent. results. In spite of the increased skill and efficiency of the examiners, the enormous increase in the number of applications and the constantly increasing complexity and refinement of invention have rendered it impossible to maintain a proper standard of efficiency. The result has been, not a lowering of the original standard, but *a failure to advance the standard of thoroughness in any degree commensurate with the standards of manufacturing and engineering skill.* This leads directly to a statement of the two demands which our industrial and scientific interests make upon our patent system.

1. The grant of a patent should afford substantial ground for assuming that the thing patented is novel and that the patent is valid.

2. The means for determining the novelty and validity of a patent—the final, judicial determination of these questions—should be certain, speedy and inexpensive.

The reasonableness of these demands should be self-evident, but their importance is sadly overlooked. Nothing is plainer than that industrial activity must have peace, quiet, certainty. We learned long ago that business will adjust itself to almost any condition so long as that condition is fixed, settled, undisturbed. We have reached the point where, owing to the inability of the Patent Office to make the necessary examination, patents carry upon their face very little guaranty of novelty or stability. This condition is remediable by the establishment of proper and readily attainable efficiency in the Patent Office.

Only one thing is needful to meet this first pressing demand: *increase the Patent Office plant and force.* The earnings of the Patent Office for 1908 were $1,896,847.67. The total expenses were $1,712,303.48. This leaves net earnings of $184,544.25, which, added to the earnings of previous years, swells the surplus to the enormous sum of $6,890,725.89. These earnings not only cannot be put to use by the Patent Office, *but do not even draw interest that may be used.* This surplus alone would erect and equip an efficient plant for the department without a cent of cost to the Government. The net earnings each year would pay the cost of the needed increase in working force.

Moreover, this income may be nearly doubled by a proper revision of the schedule of fees without burden to the patentee. When an applicant files his papers he pays but fifteen dollars. When his application is allowed he pays a final fee of twenty dollars. Suppose we *reverse* these fees. In 1908 there were 27,759 more applications made than matured into patents; reversing these fees would have added $138,795 to the income of the department without adding a cent of cost to any patent actually issued. If Congress would co-operate with the Patent Office officials that department might be made *thoroughly efficient without the increase of appropriation or cost of a patent.* Let it not be supposed such common-sense course has not been urged. Every commissioner has urged it in some form, but Congress will give attention only when the industries of the country enforce it.

Coming now to the second demand, namely, that there should be certain, speedy and inexpensive means for determining the validity of a patent by the courts, a brief review of present methods and conditions must be had. The prevailing method is by action in equity. When the cause is at issue the taking of testimony begins—not in court, but here and there, all over the country, before notaries. The testimony is laboriously written out on the typewriter. We go wherever a witness happens to reside. Everything goes into the record; there is no one to rule on the evidence. As an illustration of the tramping that is done, I cite a case within my own experience. Testimony was taken in Detroit, Buffalo, Detroit, Los Angeles, Chicago, Detroit, Troy, Buffalo, Chicago, Schenectady and Detroit, in the order given. This is common.

From one to three years may complete a record seldom containing less than five hundred pages and sometimes assuming the proportions of the automobile cases, recently decided, which made a record of *thirty-six large octavo volumes.* Years may elapse before argument and decision. Then comes the appeal, reprinting the record and briefs, and in time an opinion is handed down. The cost now may be $5,000 or $50,000. Is this final? Oh no; this merely gives the patentee, if he succeeds, the right to enjoin the infringment that may have continued all these years and to prove damages *if he can.* But can he? The equity docket in New York, as a fair average, discloses only four cases of substantial recovery out of fifty-four cases where accountings were

decreed.* The case of Eastman *vs.* Mayor, etc.,† was begun in 1877; decree for an accounting was ordered in 1891; accounting was completed and judgment for $818,074.32 was ordered in 1897. In 1904—twenty-seven years after he began his suit and seven years after he had been awarded an enormous fortune—the patentee was finally defeated and mulcted with costs. Nor is it the patentee alone who suffers. Six patents were the foundation of a successful hay-press industry.‡ After much hard fighting, the company had four of its patents held valid and infringed at the hands of an Appellate Court. Within a year, on rehearing, this court reversed itself and held all of the patents void but one. It took seven years to complete that accounting, and, owing to the fact that five-sixths of the patents had been held void, the company was unable to segregate the damages attributable to the single patent still good, and the result was six cents damages and half the costs. The case of Tuttle *vs.* Claflin§ was in the courts eighteen years, survived two masters, was nine years in the accounting and finally ended in a lump-sum award by the Appellate Court.

A mere recital of such facts is enough to show that the second demand of the industrial world is wholly unsatisfied; and that, as a matter of fact, adjudication of a patent is put at a premium few can pay. Moreover, what chance has an ordinary inventor in maintaining his rights as against a wealthy infringer? He cannot get capital to back him; men do not buy lawsuits. In order to make large economic use of the patent monopoly, a manufacturing concern must control the main patents in the art, must retain expensive patent counsel and patent experts and must set aside a large sum to defray the expenses of litigation. In order to protect his rights and establish the validity of his patent an inventor must have large means and much time at his command, else his patent is nothing short of a curse to him.

These criticisms of the prolix and expensive methods of conducting patent causes apply with even greater force to the analogous methods in interference cases. It is a notorious fact that, if a powerful concern employing a patent monopoly can succeed in raising an interference in the Patent Office with an impecuni-

* Fixed Law of Patents, Section 826.
† 134 Fed. Rep., 844.
‡ 127 Fed. Rep., 363.
§ 76 Fed. Rep., 227.

ous applicant, the end is in sight. By dilatory and obstructive proceedings, readily instituted by an attorney skilled in the technical practice in interference cases, by tramping from one end of the land to the other taking testimony and then by numerous motions and appeals, an ordinary inventor stands no more chance in such a contest than he would in attempting to compete industrially with such a concern.

Bad as this is, it is far from the worst. In 1891 the United States Circuit Courts of Appeals were established—one in each of the nine circuits—and these courts were given final appellate jurisdiction of patent causes. A decision of any one of these nine Circuit Courts of Appeals is final in a patent cause for that particular patent on the particular facts presented in that particular circuit, but it is *not a final adjudication upon that patent as to any other circuit.* While there is supposed to be comity between Appellate Courts, as a matter of fact there is none. The rubber-tire case and the bottle-stopper case settle that question.

Now let us take a noted case and see how it works out. Eldred owned the patent on an electric cigar-lighter. Kessler infringed the patent and Eldred sued him in the district of Indiana. The court held the patent void, so that Kessler could make, use and sell Eldred lighters anywhere in the Seventh Circuit. Kirkland was another infringer of Eldred's patent and Eldred sued him in the Western District of New York. On appeal the Circuit Court of Appeals for the Second Circuit held the patent valid and infringed;* so Eldred's patent was good in the Second Circuit, but void in the Seventh Circuit. Then Eldred sued Breitweiser, another infringer in the Second Circuit who was buying his lighters of Kessler. Kessler then brought action against Eldred to restrain him from prosecuting Breitweiser or any one buying Kessler lighters. This case went to the Supreme Court,† and that court held that as a court had once held Eldred's patent void as between him and Kessler, Kessler could make his lighters and sell them anywhere he pleased. Behold the situation! Here is a patent void in the Seventh Circuit, absolutely and finally valid in the Second Circuit as against any one except Kessler, void as against Kessler in the other circuits and valid or void as against any one else in any of the other seven circuits as one

* Eldred *vs.* Kirkland, 130 Fed., 342.
† Kessler *vs.* Eldred, 206 U. S., 285.

court after another might hold one way or the other. If I make an Eldred lighter in New York and he can catch me in that State, he can restrain me by injunction and mulct me in damages; but if, after I have made the lighter and before he can sue me I move into his own State, I have a perfect defence! This is not an isolated case. The Grant Rubber Tire patent is in a similar condition.*

It is perfectly clear that the framers of the Circuit Court of Appeals Act never anticipated such a state of affairs, and that what was intended to be desirable relief in patent litigation has turned out to be a breeder of chaos.

The situation may be summed up generally thus: The face value of a patent has depreciated by reason of the failure of Congress to legislate as urged year after year by the commissioners to keep the Patent Office abreast of the times. The practice and procedure in patent causes is so cumbersome and slow and so expensive as to render the judicial establishment of a patent a luxury wholly beyond all but the few. This is creating a monopoly founded, not upon inventive genius, but upon financial power to dominate the field. The system of trying out interferences is even worse. The Circuit Court of Appeals Act as related to patent litigation breeds nothing but chaos, and not infrequently cancels rather than establishes the value of a patent. While it may not be said, perhaps, that the act making the decision of a Circuit Court of Appeals final and unappealable in a patent cause is unconstitutional, it is unquestionable that, in view of the provision of the Constitution relating to patents and the organic law which has been builded thereon with the evolution of the nation, that act is as repugnant to the spirit of the Constitution and as subversive of our institutions founded in time and experience as the secession of a State. To destroy the value of a grant sanctioned by the Constitution, issued under the statute and sealed by the Government by creating nine courts with the power to at any time cancel the grant in one part of the United States and hold it valid and impregnable in another is a monstrosity that shocks any sane mind.

Turning now to the remedies to meet the first demand—that the grant of a patent should afford a substantial foundation for assuming the thing patented to be novel—all that is necessary is

* Consolidated *vs.* Diamond, 157 Fed., 677.

to give to the Commissioner of Patents the power any board of directors would concede to a successful president or superintendent of a corporation. All that is needed is:

1. To allow the commissioner to use the surplus the Patent Office has earned to erect and equip a plant adequate to the needs of the business.

2. To co-operate with him in a revision of the fee schedule to materially increase the revenues without additional cost to the patentee.

3. To allow him to use the earnings of his department to make the work efficient.

Absolutely no increase of appropriation is needed. Some foolish expenditures required by statute may be cut off to great advantage, but the system may be left substantially unchanged in its general workings and the cost of a patent in no way increased.

The absurd judicial arrangement of charging the Patent Office with the trial of that which is nothing less than a lawsuit should be changed. When a condition arises where there is a contest between two parties in the form of an interference, where evidence must be adduced and a decision upon the facts and the law made, it becomes subject-matter for a court and not for a governmental department. The moment issue is joined the entire controversy should be transferred to the Patent Court as hereafter outlined. It is then a litigation and should be so treated.

And in making this change the system of appeals in the Patent Office should be changed. At present we have the curious condition of an appeal from an examiner to the examiners-in-chief, a court of three members; thence to the commissioner in person, a court of one; thence to the Appellate Court of the District of Columbia, a court of three members. It is perfectly clear there should be but one appeal within the Patent Office, and that a tribunal should be created having the commissioner as presiding judge, and of such number as to be able to hear ordinary appeals without the presence of the commissioner, and with provision for ordering a full bench in important cases. The necessity of this reform has been most forcefully presented by Commissioner Moore in his annual report to Congress.

We now come to the problem most difficult of solution—meeting the second demand, that the means for determining the

novelty and validity of a patent, the final judicial determination, shall be certain, speedy and inexpensive. This demand can be met in no way but by the establishment of a Patent Court. At present an action for infringement may be brought in any one of the eighty-eight districts and be heard in the first instance by any one of the 118 circuit and district judges. On appeal the case may be reviewed by any two circuit judges sitting (two being a quorum) or even by a circuit judge and a district judge sitting as a Circuit Court of Appeal. A few of the circuit judges are excellent patent lawyers; a much smaller number of district judges are capable of mastering a patent cause. If any one doubts this, let him cite decisions without discrimination of court or judge. A court often expresses itself by a profound, judicial silence.

The first step toward meeting this second demand of our industrial interests is, then, the establishment of a Patent Court for hearing patent causes in the first instance. It should consist of nine judges, one in each of the nine circuits, whose duty it should be to *hear, try and determine such causes, having the evidence adduced before them subject to ruling and exception,* after the manner of State courts of equity. The present system of taking testimony hither and yon before notaries should be abolished. In cases where witnesses are remote, commission should issue to the patent judge of the circuit wherein the witness resides; but such commission should issue only upon proof of the materiality of the evidence sought and in no case for the taking of expert testimony. Moreover, the present practice of adducing endless expert evidence should be stopped. Ordinarily one expert on each side is enough.

Interference cases should be sent to the patent judge of the circuit most centrally located with reference to the evidence to be adduced and then and there decided in the same manner as a patent cause, but with additional safeguard that such trial shall be held behind closed doors to prevent disclosure of unpatented inventions.

The next step is the establishment at Washington of a Court of Patent Appeals. To this one central court every appeal from every patent judge should be taken and that court should be given final appellate jurisdiction. It should be composed of five judges, all of them trained in the patent law. The method of

appeal should be by case and exceptions; the record made by counsel and settled before the patent judge who heard the case, to the end that the present enormous cost of printing may be reduced and that the Appellate Court may not be burdened with a padded and cumbersome record.

Such a change in no wise disturbs the great body of case law relating to patents. It is a *change of jurisdiction, but not of system.* The great body of rules, both in law and in equity, would remain in force, *with the exception that the present conflict and chaos of law and rule would be eliminated entirely.*

What would be the gain? First, the reduction of time and cost in finally determining the economic value of a patent would be reduced to the minimum. Second, the patentee would be *given a square deal*—the thing he is now denied. Third, uniformity of law and practice—the thing that does not now exist.

The overloading of the Patent Office, the present judicial chaos and other similar conditions must force a change. The change should give a patent the potential value it now has not—a value that will entitle the owner to the right, on showing infringement, of having his patent respected at once. It should secure means for summary, inexpensive and final adjudication, not for one circuit, but for the entire country. The enormous output of paper patents should be stopped and meritorious inventors given a chance to reap due reward. The manufacturer should be able to conduct his business in peace and quiet, and not have to be on a war footing with a standing army of patent lawyers and experts and a fund for their maintenance. Thus the public in general—the entire industrial world—would gain one more assurance in these troublous times that it need not sit on the sharp edge of apprehension.

Publicity brings interest; knowledge brings reform. The facts here outlined should be investigated and demand for reform made by all industrial associations both of capital and labor. The press should educate the public both as to facts and needs. Experienced lawyers should make their views known and bar associations should memorialize Congress. And, above all, the Supreme Court should revise the equity rules to accord with imperative demand for reform.

WILLIAM MACOMBER.

MEDICAL CONTROL OF VIVISECTION.

BY WALTER B. CANNON, A.M., M.D.

"A VILE pursuit," "a devilish science," "an organized system of barbarity"—this is medical research; "fiends," "demons," "human monsters"—these are the medical investigators; "torments" and "prolonged agonies"—such are the experiences of animals in the "torture-chambers" of the laboratories. Words to catch and hold rigid the ideas of men were never so industriously overworked as these expressions. One who undertakes to read much of anti-vivisection writings is wearied not so much by the monotonous recurrence of the same old stories as by the constant attempt to horrify by epithets.

That these epithets have serious implications is not questioned by anybody; but whether the persons who use them so glibly are really proper judges, qualified by any instructive experience, may be questioned with very good reason. These persons have never entered the laboratories in which they declare animals are "cruelly tortured," they have not seen the operations which they describe as "revolting." The assertion that their inexperience is due to refusal of admission to the laboratories does not alter the fact of that inexperience. Nor is the refusal to admit them a confession that their charges are true. Any one of insight and judgment is never refused admission; but the opponents of research, untrained in biological studies, and willing to sacrifice their fellow men to the comfort of laboratory animals, may reasonably be excluded, just as emotional persons are forbidden to witness an operation on a relative. The surgeon operating in the home does not permit the "open door," yet he does not become thereby the object of malignant suspicion. And the confident opinions of an outsider, concerning the surgeon's work, would not gain credence merely because expressed with unqualified assurance.

As an example of the way in which opinions on laboratory procedures and laboratory-workers become established, the story of a letter by Professor William James, widely published in the daily press last summer, is worth telling. Professor James wrote that he understood the defenders of vivisection to protest "*against any regulation whatever*" (italics original). "Their invariable contention, implied or expressed," he continued, "is that it is *no one's business* what happens to an animal, so long as the individual who is handling it can plead that to increase science is his aim." Later he declared that medical investigators, held together by powerful club opinion, deny every charge against them, concede no point of principle and sustain firmly "the preposterous claim that every 'scientist' has an unlimited right to vivisect, for the amount or mode of which no man, not even a colleague, can call him to account." Then after disapproving of State inspection, and after urging medical investigators to establish their own government, he affirmed that so long as they disclaim corporate responsibility and formulate no code of vivisectional ethics for laboratories to post up and enforce, "so long must the anti-vivisection agitation, with all its expensiveness, idiocy, bad temper, untruth and vexatiousness, continue." Professor James in his letter struck valiantly at both parties in the controversy. What a gift of ammunition he presented to the anti-vivisectionists! The assertions regarding the experimenters—their waste of animal life, their subservience to club opinion, their failure to formulate a code for their own conduct, their sense of exemption from all restraint—these assertions they carefully selected, and they have since published them extensively and repeatedly, without question, as the words of final authority. Thus are the investigators judged, classified and stamped—with doctrinaire notions of what manner of men they must be and what lives they must lead, but with no suggestion of an inquiry whether perchance the assertions may not be true.

Nearly two years ago the American Medical Association appointed a Council to investigate the conditions of animal experimentation in the medical laboratories of the United States. Through detailed reports and the testimony of an expert investigator the Council has accumulated information from every medical school in which animals are used for teaching or research. Some of the results of this inquiry should be of interest to the

intelligent and humane persons to whom the anti-vivisectionist makes his appeal.

The experimental animals whose service for medical research rouses the greatest amount of hostile sentiment are the cat and the dog. The employment of these animals has been referred to as a terrible "waste" of life. Yet compared with the number of cats and dogs officially destroyed in various cities, the sacrifice of their lives in laboratories is almost insignificant. Figures have been obtained by the Council from twenty cities, in many of which, however, the record for cats was not reported; in these cities more than 360,000 cats and dogs have been killed in a single year merely to be rid of the excess. In New York City alone during the past fourteen years more than 800,000 cats and 400,000 dogs have been thus destroyed. In one year in New York City alone there are put to death more than ten times the total number of cats and dogs used for all purposes in all the laboratories in all the medical schools of the country. The interesting question now arises whether the enormous numbers of these animals killed solely to clear the streets have their lives "wasted" more or less than the much smaller number used in the laboratories for purposes of medical advancement.

But the humane destruction of animals in a public pound, anti-vivisectionists will declare, is very different from the "prolonged agonies" which animals experience in the "secret chambers" of the laboratories. Thus the habitual words assert their dominance. "Behind locked doors, where no one may enter," the "brutalized" experimenter, quite regardless of the "cries of pain and anguish" which assail his ears, is supposed to undertake his "hellish" work. "With unlimited right to vivisect, for the amount or mode of which no man, not even a colleague, can call him to account," he continues his "butchery." Before giving full credence to the implications of these charges against honorable men patiently searching out the nature of disease and its treatment, we might do well to learn the actual conditions of research, and the precautions taken by the medical profession itself to minimize suffering in laboratory animals.

In the largest medical laboratories of this country regulations governing animal experimentation have been posted and enforced, in one instance for more than thirty years, in other instances for more than ten years. These regulations, discovered by the Coun-

cil of the American Medical Association, have been collected, summarized and revised, and have been sent to all other laboratories in which animal experimentation is conducted. These rules are as follows:

I. Vagrant dogs and cats brought to this Laboratory and purchased here shall be held at least as long as at the city pound, and shall be returned to their owners if claimed and identified.

II. Animals in the Laboratory shall receive every consideration for their bodily comfort; they shall be kindly treated, properly fed, and their surroundings kept in the best possible sanitary condition.

III. No operations on animals shall be made except with the sanction of the Director of the Laboratory, who holds himself responsible for the importance of the problems studied and for the propriety of the procedures used in the solution of these problems.

IV. In any operation likely to cause greater discomfort than that attending anesthetization, the animal shall first be rendered incapable of perceiving pain and shall be maintained in that condition until the operation is ended.

Exceptions to this rule will be made by the Director alone and then only when anesthesia would defeat the object of the experiment. In such cases an anesthetic shall be used so far as possible and may be discontinued only so long as is absolutely essential for the necessary observations.

V. At the conclusion of the experiment the animal shall be killed painlessly.

Exceptions to this rule will be made only when continuance of the animal's life is necessary to determine the result of the experiment. In that case, the same aseptic precautions shall be observed during the operation and so far as possible the same care shall be taken to minimize discomforts during the convalescence as in a hospital for human beings.

Faculties of medical schools throughout the entire country have formally adopted the rules as an expression of the precautions under which research was being, and should continue to be, conducted. These or similar rules are now posted in practically all laboratories in which animal experimentation is extensively practised. The adoption of these rules effectively disposes of the charges that in laboratories "it is no one's business what happens to an animal," that experimenters protest against any regulation, and that they disclaim any corporate responsibility for their acts.

Power for the enforcement of the regulations is abundantly provided in the public and corporate manner in which they were adopted; and that power is reinforced by a strong "club opinion" to which the opponents of medical research have already recognized the experimenters as so perfectly loyal. Furthermore,

the potent social forces expressed in the votes of the trustees of institutions, and in the opinions of colleagues and fellow workers, not to speak of the interested public, would put effective pressure on any tendency towards infraction of these regulations should such tendency develop. As a matter of fact, however, the members of the Council, who are widely acquainted with medical laboratories, are convinced that in the great majority of instances these regulations merely define the already good conditions under which experimental medicine has been carried on and state a programme for the continuance of those conditions. To beginners in research and to interested people these regulations will indicate the spirit of the investigators and the consideration given by them to the avoidance of unnecessary pain.

Persons who have been under the spell of anti-vivisection phrases may perhaps now admit that in the laboratories of the great medical schools the condition of animal experimentation is fairly satisfactory. They will surely have the suggestion made to them, however, that there still remain the careless and inexperienced medical students who, in the secrecy of private rooms, are wholly free to satisfy their desire to operate on animals without any supervision whatever. What are the grounds for this suggestion? The uniform testimony given to the Council is that in the medical laboratories students are carefully supervised in any experiments they make on animals; indeed, except in a few places, they are not permitted to use any other animal than the frog. At most schools the students are carefully instructed in the great importance of the experimental method for the service of public health, and in the necessity of avoiding in every way the careless treatment of animals. At other schools this precautionary instruction is regarded as superfluous—a view easily understood by any one who knows the character of young men studying medicine, and who realizes the immense practical difficulties of private investigation. Until some respectable evidence is adduced to show that the much-maligned medical student actually does carelessly "cut up" living animals in his room, the evil suggestion that he does so should receive the contempt it deserves.

In spite of the accumulated evidence of a satisfactory condition of animal experimentation in this country, and in spite of the enforcement of the foregoing regulations in the laboratories, Pro-

fessor James's intimations of peaceful subsidence of the agitation must be regarded as much too optimistic. No end to the struggle for legal interference with medical research is in sight. Every year in one State or another a "mild bill" will be alluringly presented. Its ostensible purpose, as in the past, will be not to prevent "legitimate vivisection" by responsible investigators, but to stop the practice among the unskilled—for example, the medical student in his room. Examination of the bill will reveal, however, that no provision is made for spying on the medical student in his room, but that every arrangement is made for the inspection of the responsible investigators. To many fair-minded people inspection of laboratories and laboratory-work seems highly reasonable; they approve of going at least so far with the petitioners for legislation. But the medical profession has in the main objected to the proposed inspection. What are the reasons for the objection?

In the first place, inspection of laboratories would not satisfy those who are eager for legislative interference with research. England has had laboratory inspection for thirty-four years, yet there is no country in which the attack on laboratory procedures is more relentless. No less than fifteen anti-vivisection societies afflict Great Britain, all opposed to medical progress through the use of animals. Furthermore, if we may judge by English experience, the inspectors must describe "horrors" or be discredited. Inspection in England has not revealed any noteworthy abuse of animal experimentation during all the thirty-four years. The inference drawn by the anti-vivisectionists is that occasional inspection is futile; indeed, that, unless an inspector is in the laboratories continuously during all operations, horrible abuse of animals is sure to occur.* The impossibility of providing for such constant oversight would seem to a person of common sense to necessitate a certain amount of reliance on the goodwill and natural humanity of those engaged in research. Again, the argument for inspection, usually supported by analogy with bank inspection, is, under the circumstances, quite faulty. For the inspection of banks experts in banking are appointed, but for the inspection of laboratories experts in experimentation have been definitely excluded in the bills presented by the opponents

* See Minutes of Evidence, English Parliamentary Commission on Vivisection, 1905–6, Coleridge's testimony, *passim*.

of animal experimentation. For this important work they desire their own representatives. In the opinion of the experimenters, however, such persons, untrained in observing animal reactions and lacking any insight whatever into the extraordinary complexities of medical investigation, are thoroughly incompetent.

The incompetence of inspectors is the strongest objection to the proposal for State inspection. The laboratory-workers have spent many years learning what is known of the vital changes in living organisms. They are busied with a study of the most perplexingly developed structures and the most involved and entangled processes in nature, the structures and processes in highly organized animals. And not only are the individual processes intricate, but animals and plants are intricately related in the nexus of living beings. The most gifted insight is required, and the rarest type of constructive imagination, to distinguish in this complex the relations that are important from those that are unimportant. Precisely this high order of ability is a prime requisite in the hard human struggle against disease. Work that seems remote and academic may have the utmost value for the welfare of mankind. Lister's revolutionizing of surgical methods began with a study of fermentation in flasks and went thence to experiments on animals. In the early days of Lister's work even the physicians had no eyes for his view. How much less could be expected of the ignorant inspector! Surely Professor James was correct when he wrote: "The fear of State rules and inspectors, on the part of the investigators, is, I think, well founded; they would probably mean either stupid interference or become a sham."

Occasionally, at relatively rare intervals, the solution of an important problem may require that animals shall suffer. There are anti-vivisectionists who declare that they themselves prefer to suffer rather than to profit by procedures involving pain to animals. The enormous majority of men, however, are quite willing to do otherwise. As a matter of course, society tolerates crushing of limbs in traps, or other grievous wounding of birds and beasts, merely for ornamentation or sport. Even the delights of the palate are served through the infliction of pain, for men gladly consent to eat the capon and the steer, the taste of whose flesh has been made more delicate by barnyard operations of the most shocking character. The lashing of dogs driven to the last

extremity of fatigue and starvation was required to carry the flag to the at last accessible pole. How much more justifiable than any of these purposes is the motive that impels the medical investigator! Indeed, how much more justifiable than any of these inflictions of pain is the occasional suffering caused in the laboratories—for is not "the life more than meat and the body more than raiment"? Men and women and children, whose suffering extends to every one bound to them by the strong ties of love and sympathy, daily go down to death because the disease is a mystery and its cure unknown. Who, then, shall say that medical research shall not continue to bring its blessings? In the eager search for more light, who shall decide the critical case involving pain to animals? The anti-vivisectionists maintain that they should decide; the medical profession, on the contrary, urges that the decision remain in its control. The anti-vivisectionists, unacquainted with the problems and methods of medical research, prefer to restrict their humanity to the welfare of laboratory animals. The medical profession, realizing that more power to fight disease can only come from more knowledge, trusts the deeper humanity of the laboratory-workers who are seeking that knowledge. Should not the decision of the critical case rest preferably with the person of training and insight, the laboratory director? Of all men, he is most likely to know what is being done by those about him; he is most responsible to his institution, to his profession and to the public interest; and his position is itself a warrant of his trustworthiness.

WALTER B. CANNON.

ENGLAND AND MARK TWAIN.

BY BRITANNICUS.

ENGLISHMEN for forty years and more have loved Mark Twain with an ardor very little below that of his own countrymen. Ever since the "Jumping Frog" made its appearance he has been to them the supreme example of humor in its most piquant, most American form, and the unrivalled guardian, since Charles Dickens died, of the sources of deep, human, elemental laughter. It is possible, indeed, that Englishmen have profited by just the shade of mental difference that separates the two peoples to extract from Mark Twain's humor a more exquisite relish than even the Americans themselves, for whom its flavor can scarcely have the charm of an exotic. The tussle with the German language, the duel in the "Tramp Abroad," the trials of an urban editor of an agricultural paper, the forty-seven-mile search in the dark for the lost bedroom slipper, the ascent of the Riffelberg with the mule that ate the nitroglycerine; these and a hundred other inimitable passages that leap to the mind when Mark Twain's name is breathed have won in England an appreciation as keen and diffused as in America. Tom Sawyer and Huck Finn are as much the friends of English as of American boyhood. Humor has as many styles and fashions as dress, and it would be almost an impertinence to predict for Mark Twain the immortality of a Cervantes; but this much may at least be said, that forty shifting and convulsive years instead of impairing have enhanced Mark Twain's popularity with his English readers. There is that in his writings which draws one as much to the man as to the author, and it is not merely for his books, but for the spirit and character revealed in them and for all they have heard of his life and its trials and triumphs that Englishmen feel in Mark Twain a tender and semi-proprietary pride. We have long been used to looking upon him as the national author

of America. In England we have had for a generation or more no national author. Tennyson, perhaps, came nearer to being one than any other writer, but even Tennyson never commanded the devotion that the Scotch showered on Sir Walter, the English of fifty years ago on Dickens and the Americans on Mark Twain. And having no national author of our own, we have perforce claimed Mark Twain as *the* representative "racial" author of his day and have felt for him only a little less admiration, gratitude and affection than his own countrymen. To writers alone is it given to win and hold a sentiment of this quality—to writers and occasionally, by the oddness of the human mind, to generals. The "popularity" of statesmen is a poor and flickering light by the side of this full flame of personal affection. It has gone out to Mark Twain from all the English-speaking peoples not only for what he has written, for the clean, irresistible extravagance of his humor and his unfailing command of the primal feelings, for his tenderness, his jollity and his power to read the heart of boy and man and woman; not only for the tragedies and afflictions of his life so unconquerably borne; not only for his brave and fiery dashes against tyranny, humbug and corruption at home and abroad, but also because, beyond any other man of his time, he incarnated and universalized the American spirit. His humor, while wholly and distinctively American, has the large human qualities, the sense of the fundamental contrasts of life, that overflows all national boundaries. His freshness of heart and emotion beneath a show of merry cynicism, his indomitable common sense, his spiritual hardiness, his touch of misanthropy, his idealizing faith in women and democracy—all that is American too; but it is Americanism carried by genius to a point where it appeals to the whole of humanity. More than any man of our generation has Mark Twain made the world laugh. But his humor has always been on the side of the angels. He has jibed at much, but never at anything that made for nobility.

No doubt there are some Englishmen who still regard him as a mere *farceur,* who find his "irreverence" an insuperable stumbling-block and who cannot reconcile themselves to a famous man of letters being so precisely the opposite of a literary man. "Culture," literary priggishness and the academic type of criticism will always find it hard to accept Mark Twain at his true value. One English critic some years ago summed him up, or

thought he did, in the word "barbarian," declaring that the essence of his talent was merely the spirit of vandalism; and the reproach of not being an "artist" will, no doubt, long be hurled at him by the men who are all sensitiveness and little sense. But the average reader of Mark Twain's works, which is much the same as saying the average man or woman throughout the English-speaking world, is wiser than the most acute of critics in trusting his own instincts and discarding the foot-rule of formalism. He came stark into the world of letters; there is no precedent for him; and he brought with him the spirit of the Mississippi Valley as it was fifty or sixty years, a spirit scarcely congenial to the pedants of æstheticism. "It is becoming difficult already," wrote an Englishman the day after Mark Twain's death, "to conceive the conditions amid which he grew up in the Mississippi Valley—a frontier settlement where life was hard, happy-go-lucky and self-reliant, and the men and women who lived it were fraternal and kindly; where an absolute irreverence of speech and manner went hand in hand with a real Puritanism of outlook and conduct; where the atmosphere was charged with courage, a reckless surplusage of cheerfulness, spontaneous vigor, comradeship, profanity, homespun idealism, and a total innocence of the conventions, the arts, the standards and the boredom of civilization. That was the school in which Mark Twain graduated. It formed him in the decisive years when the lines of character are unalterably laid down, and he repaid its wholesome discipline by portraying it with the intimacy of a lover and the touch of a reporter of genius. As journeyman printer, prospector, miner, pilot, soldier and journalist he saw it from all sides. Its spirit became his spirit." That I believe to be true; but one can understand how often a writer of such upbringing, standpoint and instincts must have shocked the measured delicacy of English "culture." To appreciate Mark Twain the less one has in one's composition of the professional critic and the more of the elemental qualities of humanity the better. Happily, most of us are human beings before we are critics; and Mark Twain, if the supercilious few grudge his title to fame, will always carry with him the devoted responsiveness of warm-hearted many. A few lapses from the highest taste, a few things one might wish had been said differently—what are they against that brimming treasure of wholesomeness, masculinity and exuberant mirth?

It is, of course, as a humorist that Mark Twain has conquered the world and fairly enslaved the English-speaking peoples. No one on either side of the Atlantic has arisen in the past thirty years to challenge his incontestable supremacy as the dispenser of joyousness and mirth—of mirth now mocking, now tender, now whirling through a riot of extravagance, now vital with the sense of tears in mortal things, now tipped with a ferocity of sarcasm, but always clean, fresh, whimsical and fortifying. The obituary notices that have appeared in the English papers do full justice to this side of his genius. But they are, happily, not less insistent on the absurdity of looking upon Mark Twain as a humorist merely. He never sank into the tiresomeness of "the funny man." "It takes," says one English writer, "a man of courage, of sympathy, of experience, a man with a heart and a sense of the pathos and tragedy of life, to be a great humorist. Mark Twain was all this; an irreclaimable jester like Artemus Ward was precisely what he could never have been. He was too big a man and too responsible, and kept with him too constant a vision of life's broadest and most fundamental contrasts to sink into an habitual fun-maker. It is true, perhaps, that at the mention of his name the mind leaps first of all to the passages in which he gave fancy the freest rein. But these are not the passages, admirable as they are in flow, light-heartedness and abandon, that give the full measure of the man. Indeed, if you were to leave out from his works everything in which Mark Twain set out to be deliberately, wantonly, irresistibly side-splitting, I am not sure that his highest merits as a writer would not stand out more clearly. He was the very Homer of boyhood; he wove some historical romances of an extraordinary imaginative delicacy; he depicted life on the Mississippi with a force and picturesqueness and fidelity that in years to come will make men turn to him as the social historian of his place and time; he had encountered men and women under a unique diversity of conditions and at the closest range; he saw into them with the penetration of a man of the widest human sympathies and of a genuine dramatist; and he drew them, and drew their surroundings, with the direct, telling, vigorous and, at the same time, elaborated impressionism that with him was a gift of nature."

Three years ago England showed Mark Twain how much she loved him, how high a place he held as a writer and a man in the

heart of the nation. I was with him frequently in those memorable weeks. He invited me to study him at leisure and completely, in order that I might know "what a real American college boy looks like." The impression I gathered was that "a real American college boy," in the seventy-second year of his youth, would rather stand than sit, rather walk than stand, rather smoke than sleep and rather talk than do anything. The welcome he received was one continuous ovation. His humor was never happier nor his zest in life more abounding; the interest in all he did and said reached literally through all classes of society. At the Royal garden-party at Windsor, where the guests included with hardly an exception all the most famous men and women in England, Mark Twain admittedly was the most popular man present. As he drove from the station to the castle he was kept incessantly bowing in response to the delighted cheers of the crowds that lined the streets—a purely popular crowd of sight-seers and holiday-makers, who recognized Mark Twain as easily as they recognized the Prime Minister, and considerably more easily than they recognized the Archbishop of Canterbury, and gave him a greeting that must have touched his heart. Half the notable men and women of the land hurried across the lawns to welcome him, and the King and Queen honored him with a far larger portion of their time and conversation than they spared for any of their other guests. At the House of Commons, at the dinner given in his honor by the American Ambassador and attended by much of what is best in the world of English letters, at the luncheon in his honor given by the Pilgrim's Club when his health was proposed by Mr. Birrell in one of the happiest, wittiest and most graceful and feeling speeches I have ever listened to, at Oxford where the degree of D. Litt. was conferred upon him to the uproarious delight of the undergraduates who formed a cheering bodyguard around him whenever he appeared in the streets—it was just the same: by every possible means in their power the English people made of his visit a demonstration of their affection and regard. Nor are they a people whose affection and regard are lightly given. Mark Twain had won them as a great writer, a great citizen and a great gentleman; and his passing leaves a vacancy in the hearts of a world-scattered race that will not soon or easily be filled.

BRITANNICUS.

TRIBUTES TO MARK TWAIN.

"MARK TWAIN gone!"—such the refrain that comes to my lips at intervals. The gayety of nations eclipsed, the most original genius of our age and one of the sweetest, noblest men that ever lived.

Fortunate was I that we met many years ago upon the ocean and became friends. He told me, much to my surprise, that the idea of "A Yankee at the Court of King Arthur" came from reading my first literary outburst written at high noon when the sun casts no shadow, "Triumphant Democracy"; also he called my attention to the heading of a chapter in "Pudd'nhead Wilson," of which I was the author. I was young then and naturally greatly flattered that the business man should be hailed as fellow author. The intimacy continued to grow until I could safely consider myself one of his circle. My admiration for him increased as I knew him better, until great as the author was, the man, the friend, took first place.

When the business trial of his life came and he decided that the question was not what he owed others, but what was due to himself that should govern, he chose the latter and travelled the world over and conquered. He undertook Sir Walter Scott's task and triumphed, paying every creditor not the forty cents on the dollar they offered to take, but every cent of his debt. There comes to men in life critical moments which test whether they be of clay or the pure gold. Mark Twain proved himself the latter.

No man knew Mark Twain who had not seen him aroused by some mean, detestable action which violated his sense of justice. In his wrath he was indeed terrible. One has only to read his condemnation of the capture of Aguinaldo, the Filipino General, to realize this. It exceeds the strongest philippics of Junius. In reading his support of the Baconian theory *in re* Shakespeare, one

wonders how he could reject the miracle of an uneducated wool-carder producing the unapproachable gems when his own career gives us something of the very same nature, as does that of that other original genius, Ploughman Burns. Truly surprising, almost exceeding belief, are these miracles had we not such proofs that they really were performed. No one has ventured to rob the Scottish poet of his gems. Mark Twain is one of the brotherhood.

"If there's another life, he lives in bliss. If there be none, he made the best of this." Let us follow his example.

> "Nothing is here for tears, nothing to wail
> Or knock the breast. No weakness, no contempt,
> Dispraise or blame, nothing but well and fair
> And what may quiet us in a death so noble."

And yet—and yet—I find the tears drop as I write.

ANDREW CARNEGIE.

ONCE he said to me:

"I came in with Halley's comet. I should like to stay until its return and go out with it."

That was a year ago. The night he died Halley's comet was visible in the sky. What a star to be born under, and how like he was to that radiant visitor! Where others were great, he was supreme; where others shone and sparkled, he blazed out transcendent; we had but to see him rise among his fellows to realize how his stately splendor bedimmed them all.

ALBERT BIGELOW PAINE.

IT was my privilege to know the late Samuel L. Clemens for a number of years. The first time I met him was at his home in Hartford. Later I met him several times at his home in New York City and at the Lotus Club. It may be I became attached to Mr. Clemens all the more strongly because both of us were born in the South. He had the Southern temperament, and most that he has written has the flavor of the South in it. His interest in the negro race is perhaps expressed best in one of his most delightful stories, "Huckleberry Finn." In this story, which contains many pictures of Southern life as it was fifty

or sixty years ago, there is a poor, ignorant negro boy who accompanies the heroes of the story, Huckleberry Finn and Tom Sawyer, on a long journey down the Mississippi on a raft.

It is possible the ordinary reader of this story has been so absorbed in the adventures of the two white boys that he did not think much about the part that "Jim"—which was, as I remember, the name of the colored boy—played in all these adventures. I do not believe any one can read this story closely, however, without becoming aware of the deep sympathy of the author in "Jim." In fact, before one gets through with the book, one cannot fail to observe that in some way or other the author, without making any comment and without going out of his way, has somehow succeeded in making his readers feel a genuine respect for "Jim," in spite of the ignorance he displays. I cannot help feeling that in this character Mark Twain has, perhaps unconsciously, exhibited his sympathy and interest in the masses of the negro people.

My contact with him showed that Mr. Clemens had a kind and generous heart. I think I have never known him to be so stirred up on any one question as he was on that of the cruel treatment of the natives in the Congo Free State. In his letter to Leopold, the late King of the Belgians, in his own inimitable way he did a service in calling to the attention of the world the cruelties practised upon the black natives of the Congo that had far-reaching results. I saw him several times in connection with his efforts to bring about reforms in the Congo Free State, and he never seemed to tire of talking on the subject and planning for better conditions.

As a literary man he was rare and unique, and I believe that his success in literature rests largely upon the fact that he came from among the common people. Practically all that he wrote had an interest for the commonest man and woman. In a word, he succeeded in literature as few men in any age have succeeded, because he stuck close to nature and to the common people, and in doing so he disregarded in a large degree many of the ordinary rules of rhetoric which often serve merely to cramp and make writers unnatural and uninteresting.

Few, if any, persons born in the South have shown in their achievements what it is possible for one individual to accomplish to the extent that Mr. Clemens has. Surrounded in his early

childhood by few opportunities for culture or conditions that tended to give him high ideals, he continued to grow in popular estimation and to exert a wholesome influence upon the public to the day of his death.

The late Mr. H. H. Rogers, who was, perhaps, closer to Mr. Clemens than any one else, said to me at one time that Mr. Clemens often seemed irritated because people were not disposed to take him seriously; because people generally take most that he said and wrote as a mere jest. It was this fact to which he referred, I have no doubt, when at a public meeting in the interest of Tuskegee at Carnegie Hall a few years ago, he referred to himself in a humorous vein as a moralist, saying that all his life he had been going about trying to correct the morals of the people about him. As an illustration of the deep earnestness of his nature, I may mention the fact that Mr. Rogers told me that at one time Mr. Clemens was seriously planning to write a life of Christ, and that his friends had hard work to persuade him not to do it for fear that such a life might prove a failure or would be misunderstood.

As to Mark Twain's successor, he can have none. No more can such a man as Mark Twain have a successor than could Phillips Brooks or Henry Ward Beecher. Other men may do equally interesting work in a different manner, but Mark Twain, in my opinion, will always stand out as an unique personality, the results of whose work and influence will be more and more manifest as the years pass by.

BOOKER T. WASHINGTON.

THE steadiest American home-body, distressed by what he sees in his newspapers, weeklies and monthlies, must know moments nowadays when, despite his patriotism, our country suggests nothing more than a gigantic loot and a voluminous but despairing cry of "Stop Thief!" The gloomy moment passes quickly before the second thought that all this is only surface and is nothing vital to the real America that flies a banner starry indeed. For my part, always when I think of that true United States, part of the thought is Mark Twain. For, complete citizen of the world as he was, he *was* the American Spirit. And oh! how that

spirit spoke in him—and *from* him, from that great pen, now quiet.

. . . He was not only a master builder; he was a master critic, too. But it was never men he condemned or fought—only their cruelties and stupidities. What he hated most, I think, were the stupidities that are cruel.

His presence here made the world a more "reassuring" place to live in than it had been before. Everything seemed safer because he was with us. For the multitude who read all he wrote, it was like a child having a grown person's hand in the dark.

He came of the West and of the South, and at first belonged to them. Then he belonged to the whole country; then to all the world. After that all the world belonged to him.

It is incredible that he is dead. He couldn't be. So he must be—"just away."

BOOTH TARKINGTON.

HIS was a great life. He had the world not only laughing with him, but in touch with him in his character-building. He kindled among the people the tenderest human sympathy. He hated cant and hypocrisy, and with keen clearness often in a phrase exploded fallacies, frauds and superstitions. Mark Twain was more than a humorist. He was a deep student of men and events, a profound philosopher. He never grew old. His body gave way with the years of his burdens, but his heart was always young and his great brain expressed a matured optimism. Mark Twain has passed away, but his character, heart and brain live in his works, a fortunate legacy to the people for all time.

SAMUEL GOMPERS.

THERE was once a humorist named Cervantes. He satirized national foibles and added himself to the immortals. There once was a historian and philosopher named Carlyle. He explained Cause and analyzed Effect and added himself to the immortals. There once was a romancer named Hugo. He took the human heart and brain in his hand and let us see what made the one think and what made the other throb—and he added himself to the immortals. And there was once a story-teller named Dickens.

He took words and with them made pictures of the sadly humorous types of humanity, so that we hungered with them and loved with them and laughed and wept with them—and he added himself to the immortals.

And to-day we read their work without thinking very much of them—we think of them vaguely, as beyond the comprehensible, as people who were in a different sphere from the work they did, if we think of them at all.

There is and always will be a Mark Twain.

He is Cervantes and Carlyle and Hugo and Dickens all in one. He has the humor and the sarcasm, and the philosophy and the gentleness, and the brilliancy and the patience, and the brotherlove of them all.

With all this he has a God-given grace of fun which is the eternal sunshine of life.

He is so human that you see him in every paragraph of his writings.

The reason he died was that he had put his last breath and his last heart-beat and his last thought into the books that will forever help little boys who are just learning the great mystery of reading, and old men who have learned that life is what we give to others and not what we keep for ourselves—and will help all boys and girls and men and women between those joyous ages.

The only grief Mark Twain ever gave the world was when he died.

WILBUR D. NESBIT.

MARK TWAIN was a sore disappointment to iconoclasts who love to hold funeral services over living celebrities. He had the rare story-teller's sense of knowing just how often to summon his audience and when to leave it waiting for more. He was about the only popular humorist who never endured the chagrin of hearing applause die away. He used a combination of artistic sense and every-day common horse sense in never crowding his output simply because there was eager demand for it. Every writer is measured by his own high-water mark, and the lay critic often seems disposed to draw unfavorable comparisons. Every book by Mark Twain was so different from the one preceding that comparisons were impossible. He had the courage

and the divine inspiration to write what he wanted to write when he felt that it should be written. He never was in danger of becoming that pathetic reminder of the year before, the exploded humorist.

GEORGE ADE.

MARK TWAIN is not all of Samuel Clemens. He was much more than humorous. He was a great fictionist and a rough-hewn stylist uttering himself in his own way, which was a large, direct and forceful way. No amount of Old World contact could destroy his quaint drawl, and not all his reading nor his acquired personal knowledge of other writers could conventionalize his method. He remained the mid-Western American and literary democrat to the last.

I shall never forget the impression he made upon me when I called upon him in London some twelve years ago. The hotel in which he was staying was one of those highly refined, almost completely femininized, institutions with which the west end of London is furnished, but when the shock-haired, keen-eyed man from Missouri took my hand and said "Howdy" I felt at home. I thought him then as I think him now: one of the greatest of American authors. Not of the cultured type, but of the creative type. A figure to put beside Walt Whitman as a representative of our literary democracy.

Let me also say that to me he was a most distinctive and powerful orator. I was fortunate enough to hear his speech at the Lotus Club on the occasion of his return from "Following the Equator," at which time he feelingly announced to us that he had paid off the debt with which for so long a time he had been burdened. It was humorous, of course, but it was more than that; it was a brave and manly and exultant speech.

I heard him also at the dinner given on his sixty-seventh birthday, and there again he made all other speakers seem tame. No other orator save Ingersoll ever seemed to me so vital and so spontaneous. I have heard him on other occasions and always there was that marvellous power of creating phrases, of making old words seem new. As Howells says, "He wrote like a primitive," so I say he spoke like one who used words fresh from the mint with the sheen of their minting still upon them. Every letter of his speech was vital with the breath of his personality.

This was the secret of his amazing hold upon his audiences all over the world.

HAMLIN GARLAND.

HE was a pretty big man—I sometimes wonder if he were not quite the most commanding literary personality of this period. Certainly no other man has succeeded in gripping so many people in so many parts of the world as he, and it does not seem natural to have a world without Mark Twain in it. One's sorrow is mitigated somewhat by the thought of his loneliness of late years, as well as of the feeling that he probably wanted to go.

JOHN KENDRICK BANGS.

CONTEMPORARIES are prone to judge an artist by the bulk of his work or by the average of it; but, luckily, posterity gauges him only by his best. It measures him by the summits of his accomplishment and not by the foot-hills or the valleys. Few authors will profit more by this wiser choice of the years to come than Mark Twain, since his writing was curiously unequal, with a wide chasm yawning between his loftiest work and his lowest; his touch was often uncertain and his taste was on occasion perverse. But his best is very high in quality; the peaks of his achievement tower aloft unchallenged and indisputable. No one of the men of letters of his time bids fair to loom larger in the perspective of time. It may be that the next generation will drop out the half of his writings and the generation after may winnow what is left. Yet enough will withstand the drastic process; our grandchildren will gladly make friends with Tom Sawyer and Huck Finn; and they will grow up to delight in the most veracious passages of "Roughing It" and "Life on the Mississippi" and "A Tramp Abroad."

Mark Twain was great in many ways and especially in four—as a humorist, as a story-teller, as a stylist and as a moralist. Now and again his humor was fantastic and arbitrary, perhaps even mechanical; but at its richest it was irresistible, rooted in truth, sustained by sincerity and supported by a manly melancholy—which became more plainly visible as he broadened his outlook on life. His native gift of story-telling, the compelling power of his narrative, was cultivated by conscious art, until one

could not choose but hear, submitting ourselves wholly to the spell he cast upon us; of their kind there is nothing more vivid in fiction than the Shepherdson-Grangerford feud and the shooting of Boggs by Sherburn, with the subsequent attempt to lynch the latter. As a master of English prose he has not received the appreciation he deserved, for he could call up an unforgettable picture with the utmost economy of stroke; Huck Finn's description of the storm at night when he is alone on the island may be set by the side of the vision of the Jungfrau by moonlight in "A Tramp Abroad." And his sturdy morality, inspired by a detestation of sham and of affectation as ingrained as Molière's, ought to be evident to all who have pondered his analysis of Cecil Rhodes in "Following the Equator," and especially to all who have meditated upon "The Man that Corrupted Hadleyburg," a masterpiece of stern irony which Swift would not have disowned and which is free from the corroding misanthropy that Swift might have bestowed upon it.

A great artist in humor and in narrative and in style, a great moralist—and a great man in himself. BRANDER MATTHEWS.

MARK TWAIN: AN INQUIRY.*

BY W. D. HOWELLS.

I.

So far as I know Mr. Clemens is the first writer to use in extended writing the fashion we all use in thinking, and to set down the thing that comes into his mind without fear or favor of the thing that went before, or the thing that may be about to follow. I, for instance, in putting this paper together, am anxious to observe some sort of logical order, to discipline such impressions and notions as I have of the subject into a coherent body which shall march column-wise to a conclusion obvious if not inevitable from the start. But Mr. Clemens, if he were writing it, would not be anxious to do any such thing. He would take whatever offered itself to his hand out of that mystical chaos, that divine ragbag, which we call the mind, and leave the reader to look after relevancies and sequences for himself. These there might be, but not of that hard and fast sort which I am eager to lay hold of, and the result would at least be satisfactory to the author, who would have shifted the whole responsibility to the reader, with whom it belongs, at least as much as with the author. In other words, Mr. Clemens uses in work on the larger scale the method of the elder essayists, and you know no more where you are going to bring up in "The Innocents Abroad" or "Following the Equator" than in an essay of Montaigne. The end you arrive at is the end of the book, and you reach it amused but edified, and sorry for nothing but to be there. You have noted the author's thoughts, but not his order of thinking; he has not attempted to trace the threads of association between the things that have followed one another; his reason, not his logic, has convinced you, or rather it has persuaded you, for you have not been

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brought under conviction. It is not certain that this method is of design with Mr. Clemens; that might spoil it; and possibly he will be as much surprised as any one to know that it is his method. It is imaginable that he pursues it from no wish but to have pleasure of his work, and not to fatigue either himself or his reader; and his method may be the secret of his vast popularity, but it cannot be the whole secret of it. Any one may compose a scrap-book, and offer it to the public with nothing of Mark Twain's good fortune. Everything seems to depend upon the nature of the scraps, after all; his scraps might have been consecutively arranged, in a studied order, and still have immensely pleased; but there is no doubt that people like things that have at least the appearance of not having been drilled into line. Life itself has that sort of appearance as it goes on; it is an essay with moments of drama in it rather than a drama; it is a lesson, with the precepts appearing haphazard, and not precept upon precept; it is a school, but not always a schoolroom; it is a temple, but the priests are not always in their sacerdotal robes; sometimes they are eating the sacrifice behind the altar and pouring the libations for the god through the channels of their dusty old throats. An instinct of something chaotic, ironic, empiric in the order of experience seems to have been the inspiration of our humorist's art, and what finally remains with the reader, after all the joking and laughing, is not merely the feeling of having had a mighty good time, but the conviction that he has got the worth of his money. He has not gone through the six hundred pages of "The Innocents Abroad" or "Following the Equator" without having learned more of the world as the writer saw it than any but the rarest traveller is able to show for his travel; and possibly with his average practical American public, which was his first tribunal, and must always be his court of final appeal, Mark Twain justified himself for being so delightful by being so instructive. If this bold notion is admissible, it seems the moment to say that no writer ever imparted information more inoffensively.

But his great charm is his absolute freedom in a region where most of us are fettered and shackled by immemorial convention. He saunters out into the trim world of letters, and lounges across its neatly kept paths, and walks about on the grass at will, in spite of all the signs that have been put up from the beginning of

literature, warning people of dangers and penalties for the slightest trespass.

One of the characteristics I observe in him is his single-minded use of words, which he employs as Grant did to express the plain, straight meaning their common acceptance has given them, with no regard to their structural significance or their philological implications. He writes English as if it were a primitive and not a derivative language, without Gothic or Latin or Greek behind it, or German and French beside it. The result is the English in which the most vital works of English literature are cast, rather than the English of Milton, and Thackeray, and Mr. Henry James. I do not say that the English of the authors last named is less than vital, but only that it is not the most vital. It is scholarly and conscious; it knows who its grandfather was; it has the refinement and subtlety of an old patriciate. You will not have with it the widest suggestion, the largest human feeling, or perhaps the loftiest reach of imagination, but you will have the keen joy that exquisite artistry in words can alone impart, and that you will not have in Mark Twain. What you will have in him is a style which is as personal, as biographical as the style of any one who has written, and expresses a civilization whose courage of the chances, the preferences, the duties, is not the measure of its essential modesty. It has a thing to say, and it says it in the word that may be the first, or second, or third choice, but will not be the instrument of the most fastidious ear, the most delicate and exacting sense, though it will be the word that surely and strongly conveys intention from the author's mind to the reader's. It is the Abraham Lincolnian word, not the Charles Sumnerian; it is American, Western.

II.

Now that Mark Twain has become a fame so world-wide, we should be in some danger of forgetting, but for his help, how entirely American he is, and we have already forgotten, perhaps, how truly Western he is, though his work, from first to last, is always reminding us of the fact. But here I should like to distinguish. It is not alone in its generous humor, with more honest laughter in it than humor ever had in the world till now, that his work is so Western. Any one who has really known the West (and really to know it one must have lived it), is

aware of the profoundly serious, the almost tragical strain which is the fundamental tone in the movement of such music as it has. Up to a certain point, in the presence of the mystery which we call life, it trusts and hopes and laughs; beyond that it doubts and fears, but it does not cry. It is more likely to laugh again, and in the work of Mark Twain there is little of the pathos which is supposed to be the ally of humor, little suffusion of apt tears from the smiling eyes. It is too sincere for that sort of play; and if after the doubting and the fearing it laughs again, it is with a suggestion of that resentment which youth feels when the disillusion from its trust and hope comes, and which is the grim second mind of the West in the presence of the mystery. It is not so much the race effect as the region effect; it is not the Anglo-American finding expression; it is the Westerner, who is not more thoroughly the creature of circumstances, of conditions, but far more dramatically their creature, than any prior man. He found himself placed in them and under them, so near to a world in which the natural and primitive was obsolete, that while he could not escape them, neither could he help challenging them. The inventions, the appliances, the improvements of the modern world invaded the hoary eld of his rivers and forests and prairies, and while he was still a pioneer, a hunter, a trapper, he found himself confronted with the financier, the scholar, the gentleman. They seemed to him, with the world they represented, at first very droll, and he laughed. Then they set him thinking, and as he never was afraid of anything, he thought over the whole field, and demanded explanations of all his prepossessions, of equality, of humanity, of representative government and revealed religion. When they had not their answers ready, without accepting the conventions of the modern world as solutions or in any manner final, he laughed again, not mockingly, but patiently, compassionately. Such, or somewhat like this, was the genesis and evolution of Mark Twain.

Missouri was Western, but it was also Southern, not only in the institution of slavery, to the custom and acceptance of which Mark Twain was born and bred without any applied doubt of its divinity, but in the peculiar social civilization of the older South from which his native State was settled. It would be reaching too far out to claim that American humor, of the now prevailing Western type, is of Southern origin, but without staying to at-

tempt it I will say that I think the fact could be established; and I think one of the most notably Southern traits of Mark Twain's humor is its power of seeing the fun of Southern seriousness, but this vision did not come to him till after his liberation from neighborhood in the vaster far West. He was the first, if not the only man of his section, to betray a consciousness of the grotesque absurdities in the Southern inversion of the civilized ideals in behalf of slavery, which must have them upside down in order to walk over them safely. No American of Northern birth or breeding could have imagined the spiritual struggle of Huck Finn in deciding to help the negro Jim to his freedom, even though he should be forever despised as a negro thief in his native town, and perhaps eternally lost through the blackness of his sin. No Northerner could have come so close to the heart of a Kentucky feud, and revealed it so perfectly, with the whimsicality playing through its carnage, or could have so brought us into the presence of the sardonic comi-tragedy of the squalid little river town where the storekeeping magnate shoots down his drunken tormentor in the arms of the drunkard's daughter, and then cows with bitter mockery the mob that comes to lynch him. The strict religiosity compatible in the Southwest with savage precepts of conduct is something that could make itself known in its amusing contrast only to the native Southwesterner, and the revolt against it is as constant in Mark Twain as the enmity to New England orthodoxy is in Dr. Holmes. But he does not take it with such serious resentment as Dr. Holmes is apt to take his inherited Puritanism, and it may be therefore that he is able to do it more perfect justice, and impart it more absolutely. At any rate, there are no more vital passages in his fiction than those which embody character as it is affected for good as well as evil by the severity of the local Sunday-schooling and church-going.

III.

I find myself, in spite of the discipline I intend for this paper, speaking first of the fiction, which by no means came first in Mark Twain's literary development. It is true that his beginnings were in short sketches, more or less inventive, and studies of life in which he let his imagination play freely; but it was not till he had written "Tom Sawyer" that he could be called a novelist. Even now I think he should rather be called a romancer, though such

a book as "Huckleberry Finn" takes itself out of the order of romance and places itself with the great things in picaresque fiction. Still it is more poetic than picaresque, and of a deeper psychology. The probable and credible soul that the author divines in the son of the town drunkard is one which we might each own brother, and the art which portrays this nature at first hand in the person and language of the hero, without pose or affectation, is fine art. In the boy's history the author's fancy works realistically to an end as high as it has reached elsewhere, if not higher; and I who like "The Connecticut Yankee at King Arthur's Court" so much have half a mind to give my whole heart to "Huckleberry Finn."

Both "Huckleberry Finn" and "Tom Sawyer" wander in episodes loosely related to the main story, but they are of a closer and more logical advance from the beginning to the end than the fiction which preceded them, and which I had almost forgotten to name before them. We owe to "The Gilded Age" a type in Colonel Mulberry Sellers which is as likely to endure as any fictitious character of our time. It embodies the sort of Americanism which survived through the Civil War, and characterized in its boundlessly credulous, fearlessly adventurous, unconsciously burlesque excess the period of political and economic expansion which followed the war. Colonel Sellers was, in some rough sort, the America of that day, which already seems so remote, and is best imaginable through him. Yet the story itself was of the fortuitous structure of what may be called the autobiographical books, such as "The Innocents Abroad" and "Roughing It." Its desultory and accidental character was heightened by the cooperation of Mr. Clemens's fellow humorist, Charles Dudley Warner, and such coherence as it had was weakened by the diverse qualities of their minds and their irreconcilable ideals in literature. These never combined to a sole effect or to any variety of effects that left the reader very clear what the story was all about; and yet from the cloudy solution was precipitated at least one character which, as I have said, seems of as lasting substance and lasting significance as any which the American imagination has evolved from the American environment.

If Colonel Sellers is Mr. Clemens's supreme invention, as it seems to me, I think that his "The Connecticut Yankee" is his greatest achievement in the way of a greatly imagined and sym-

metrically developed romance. Of all the fanciful schemes in fiction it pleases me most, and I give myself with absolute delight to its notion of a keen East Hartford Yankee finding himself, by a retroactionary spell, at the court of King Arthur of Britain, and becoming part of the sixth century with all the customs and ideas of the nineteenth in him and about him. The field for humanizing satire which this scheme opens is illimitable; but the ultimate achievement, the last poignant touch, the most exquisite triumph of the book, is the return of the Yankee to his own century, with his look across the gulf of the ages at the period of which he had been a part and his vision of the sixth-century woman he had loved holding their child in her arms.

It is a great fancy, transcending in æsthetic beauty the invention in "The Prince and Pauper," with all the delightful and affecting implications of that charming fable, and excelling the heartrending story in which Joan of Arc lives and prophesies and triumphs and suffers. She is, indeed, realized to the modern sense as few figures of the past have been realized in fiction; and is none the less of her time and of all time because her supposititious historian is so recurrently of ours. After Sellers, and Huck Finn, and Tom Sawyer, and the Connecticut Yankee she is the author's finest creation; and if he had succeeded in portraying no other woman nature, he would have approved himself its fit interpreter in her. I do not think he succeeds so often with that nature as with the boy nature or the man nature, apparently because it does not interest him so much. He will not trouble himself to make women talk like women at all times; oftentimes they talk too much like him, though the simple, homely sort express themselves after their kind; and Mark Twain does not always write men's dialogue so well as he might. He is apt to burlesque the lighter colloquiality, and it is only in the more serious and most tragical junctures that his people utter themselves with veracious simplicity and dignity. That great, burly fancy of his is always tempting him to the exaggeration which is the condition of so much of his personal humor, but which when it invades the drama spoils the illusion. The illusion renews itself in the great moments, but I wish it could be kept infract in the small, and I blame him that he does not rule his fancy better. His imagination is always dramatic in its conceptions, but not always in its expressions; the talk of his people is often inadequate caricature in the

ordinary exigencies, and his art contents itself with makeshift in the minor action. Even in "Huck Finn," so admirably proportioned and honestly studied, you find a piece of lawless extravagance hurled in, like the episode of the two strolling actors in the flat-boat; their broad burlesque is redeemed by their final tragedy —a prodigiously real and moving passage—but the friend of the book cannot help wishing the burlesque was not there. One laughs and then despises oneself for laughing, and this is not what Mark Twain often makes you do. There are things in him that shock, and more things that we think shocking, but this may not be so much because of their nature as because of our want of naturalness; they wound our conventions rather than our convictions. As most women are more the subjects of convention than men, his humor is not for most women; but I have a theory that when women like it they like it far beyond men. Its very excess must satisfy that demand of their insatiate nerves for something that there is enough of; but I offer this conjecture with instant readiness to withdraw it under correction. What I feel rather surer of is that there is something finally feminine in the inconsequence of his ratiocination, and his beautiful confidence that we shall be able to follow him to his conclusion in all those turnings and twistings and leaps and bounds, by which his mind carries itself to any point but that he seems aiming at. Men, in fact, are born of women, and possibly Mark Twain owes his literary method to the colloquial style of some far ancestress who was more concerned in getting there, and amusing herself on the way, than in ordering her steps.

Possibly also it is to this ancestress that he owes the instinct of right and wrong which keeps him clear as to the conditions that formed him and their injustice. Slavery in a small Missouri River town could not have been the dignified and patriarchal institution which Southerners of the older South are fond of remembering or imagining. In the second generation from Virginia ancestry of this sort, Mark Twain was born to the common necessity of looking out for himself, and while making himself practically of another order of things he felt whatever was fine in the old and could regard whatever was ugly and absurd more tolerantly, more humorously than those who bequeathed him their enmity to it. Fortunately for him, and for us who were to enjoy his humor, he came to his intellectual consciousness in a world so

large and free and safe that he could be fair to any wrong while seeing the right so unfailingly; and nothing is finer in him than his gentleness with the error which is simply passive and negative. He gets fun out of it, of course, but he deals almost tenderly with it, and hoards his violence for the superstitions and traditions which are arrogant and active. His pictures of that old river town, Southwestern life, with its faded and tattered aristocratic ideals and its squalid democratic realities, are pathetic, while they are so unsparingly true and so inapologetically and unaffectedly faithful.

The West, when it began to put itself into literature, could do so without the sense, or the apparent sense, of any older or politer world outside of it; whereas the East was always looking fearfully over its shoulder at Europe, and anxious to account for itself as well as represent itself. No such anxiety as this entered Mark Twain's mind, and it is not claiming too much for the Western influence upon American literature to say that the final liberation of the East from this anxiety in due to the West, and to its ignorant courage or its indifference to its difference from the rest of the world. It would not claim to be superior, as the South did, but it could claim to be humanly equal, or rather it would make no claim at all, but would simply be, and what it was, show itself without holding itself responsible for not being something else.

The Western boy of forty or fifty years ago grew up so close to the primeval woods or fields that their inarticulate poetry became part of his being, and he was apt to deal simply and uncritically with literature when he turned to it, as he dealt with nature. He took what he wanted, and left what he did not like; he used it for the playground, not the workshop of his spirit. Something like this I find true of Mark Twain in peculiar and uncommon measure. I do not see any proof in his books that he wished at any time to produce literature, or that he wished to reproduce life. When filled up with an experience that deeply interested him, or when provoked by some injustice or absurdity that intensely moved him, he burst forth, and the outbreak might be altogether humorous, but it was more likely to be humorous with a groundswell of seriousness carrying it profoundly forward. In all there is something curiously, not very definably, elemental, which again seems to me Western. He behaves himself as if he

were the first man who was ever up against the proposition in hand. He deals as newly, for instance, with the relations of Shelley to his wife, and with as personal and direct an indignation as if they had never attracted critical attention before; and this is the mind or the mood which he brings to all literature. Life is another affair with him; it is not a discovery, not a surprise; every one else knows how it is; but here is a new world, and he explores it with a ramping joy, and shouts for the reader to come on and see how, in spite of all the lies about it, it is the same old world of men and women, with really nothing in it but their passions and prejudices and hypocrisies. At heart he was always deeply and essentially romantic, and once must have expected life itself to be a fairy dream. When it did not turn out so he found it tremendously amusing still, and his expectation not the least amusing thing in it, but without rancor, without grudge or bitterness in his disillusion, so that his latest word is as sweet as his first. He is deeply and essentially romantic in his literary conceptions, but when it comes to working them out he is helplessly literal and real; he is the impassioned lover, the helpless slave of the concrete. For this reason, for his wish, his necessity, first to ascertain his facts, his logic is as irresistible as his laugh.

IV.

All life seems, when he began to find it out, to have the look of a vast joke, whether the joke was on him or on his fellow beings, or if it may be expressed without any irreverence, on their common creator. But it was never wholly a joke, and it was not long before his literature began to own its pathos. The sense of this is not very apparent in "Innocents Abroad," but in "Roughing It" we began to be distinctly aware of it, and in the successive books it is constantly imminent, not as a clutch at the heart-strings, but as a demand of common justice, common sense, the feeling of proportion. It is not sympathy with the under dog merely as under dog that moves Mark Twain; for the under dog is sometimes rightfully under. But the probability is that it is wrongfully under, and has a claim to your inquiry into the case which you cannot ignore without atrocity. Mark Twain never ignores it; I know nothing finer in him than his perception that in this curiously contrived mechanism men suffer for their sorrows rather oftener than they suffer for their sins; and when they

suffer for their sorrows they have a right not only to our pity, but to our help. He always gives his help, even when he seems to leave the pity to others, and it may be safely said that no writer has dealt with so many phases of life with more unfailing justice. There is no real telling how any one comes to be what he is; all speculation concerning the fact is more or less impudent or futile conjecture; but it is conceivable that Mark Twain took from his early environment the custom of clairvoyance in things in which most humorists are purblind, and that, being always in the presence of the under dog, he came to feel for him as under with him. If the knowledge and vision of slavery did not tinge all life with potential tragedy, perhaps it was this which lighted in the future humorist the indignation at injustice which glows in his page. His indignation relieves itself as often as not in a laugh; injustice is the most ridiculous thing in the world, after all, and indignation with it feels its own absurdity.

It is supposable, if not more than supposable, that the ludicrous incongruity of a slave-holding democracy nurtured upon the Declaration of Independence, and the comical spectacle of white labor owning black labor, had something to do in quickening the sense of contrast which is the mountain of humor or is said to be so. But not to drive too hard a conjecture which must remain conjecture, we may reasonably hope to find in the untrammelled, the almost unconditional life of the later and farther West, with its individualism limited by nothing but individualism, the outside causes of the first overflow of the spring. We are so fond of classification, which we think is somehow interpretation, that one cannot resist the temptation it holds out in the case of the most unclassifiable things; and I must yield so far as to note that the earliest form of Mark Twain's work is characteristic of the greater part of it. The method used in "Innocents Abroad" and in "Roughing It" is the method used in "Life on the Mississippi," in "A Tramp Abroad" and in "Following the Equator," which constitute in bulk a good half of all his writings, as they express his dominant æsthetics. If he had written the fictions alone, we should have had to recognize a rare inventive talent, a great imagination and dramatic force; but I think it must be allowed that the personal books named overshadow the fictions. They have the qualities that give character to the fictions, and they have advantages that the fictions have not and that no fiction can

have. In them, under cover of his pseudonym, we come directly into the presence of the author, which is what the reader is always longing and seeking to do; but unless the novelist is a conscienceless and tasteless recreant to the terms of his art, he cannot admit the reader to his intimacy. The personal books of Mark Twain have not only the charm of the essay's inconsequent and desultory method, in which invention, fact, reflection and philosophy wander in after one another in any following that happens, but they are of an immediate and most informal hospitality which admits you at once to the author's confidence, and makes you frankly welcome not only to his thought, but to his way of thinking. He takes no trouble in the matter, and he asks you to take none. All that he requires is that you will have common sense, and be able to tell a joke when you see it. Otherwise the whole furnishing of his mental mansion is at your service, to make such use as you can of it, but he will not be always directing your course or requiring you to enjoy yourself in this or that order.

In the case of the fictions, he conceives that his first affair is to tell a story, and a story when you are once launched upon it does not admit of deviation without some hurt to itself. In Mark Twain's novels, whether they are for boys or for men, the episodes are only those that illustrate the main narrative or relate to it, though he might have allowed himself somewhat larger latitude in the old-fashioned tradition which he has oftenest observed in them. When it comes to the critical writings, which again are personal, and which, whether they are criticisms of literature or of life, are always so striking, he is quite relentlessly logical and coherent. Here there is no lounging or sauntering, with entertaining or edifying digressions. The object is in view from the first, and the reasoning is straightforwardly to it throughout. This is as notable in the admirable paper on the Jews, or on the Austrian situation, as in that on Harriet Shelley or that on Cooper's novels. The facts are first ascertained with a conscience uncommon in critical writing of any kind, and then they are handled with vigor and precision till the polemic is over. It does not so much matter whether you agree with the critic or not; what you have to own is that here is a man of strong convictions, clear ideas and ardent sentiments, based mainly upon common sense of extraordinary depth and breadth.

V.

In fact, what finally appeals to you in Mark Twain, and what may hereafter be his peril with his readers, is his common sense. It is well to eat humble pie when one comes to it at the *table d'hôte* of life, and I wish here to offer my brother literary men a piece of it that I never refuse myself. It is true that other men do not really expect much common sense of us, whether we are poets or novelists or humorists. They may enjoy our company, and they may like us or pity us, but they do not take us very seriously, and they would as soon we were fools as not if we will only divert or comfort or inspire them. Especially if we are humorists do they doubt our practical wisdom; they are apt at first sight to take our sense for a part of the joke, and the humorist who convinces them that he is a man of as much sense as any of them, and possibly more, is in the parlous case of having given them hostages for seriousness which he may not finally be able to redeem.

I should say in the haste to which every inquiry of this sort seems subject that this was precisely the case with Mark Twain. The exceptional observer must have known from the beginning that he was a thinker of courageous originality and penetrating sagacity, even when he seemed to be joking; but in the process of time it has come to such a pass with him that the wayfaring man can hardly shirk knowledge of the fact. The fact is thrown into sudden and picturesque relief by his return to his country after a lapse of time long enough to have let a new generation grow up in knowledge of him. The projection of his reputation against a background of foreign appreciation, more or less luminous, such as no other American author has enjoyed, has little or nothing to do with his acceptance on the new terms. Those poor Germans, Austrians, Englishmen and Frenchmen who have been, from time to time in the last ten years, trying to show their esteem for his peculiar gifts could never come as close to the heart of his humor as we could; we might well doubt if they could fathom all his wisdom, which begins and ends in his humor; and if ever they seemed to chance upon his full significance, we naturally felt a kind of grudge, when we could not call it their luck, and suspected him of being less significant in the given instances than they supposed. The danger which he now runs with us is neither heightened nor lessened by the spread of his

fame, but is an effect from intrinsic causes. Possibly it might not have been so great if he had come back comparatively forgotten; it is certain only that in coming back more remembered than ever, he confronts a generation which began to know him not merely by his personal books and his fiction, but by those criticisms of life and literature which have more recently attested his interest in the graver and weightier things.

Graver and weightier, people call them, but whether they are really more important than the lighter things, I am by no means sure. What I am amused with, independently of the final truth, is the possibility that his newer audience will exact this serious mood of Mr. Clemens, whereas we of his older world only suffered it, and were of a high conceit with our liberality in allowing a humorist sometimes to be a philosopher. Some of us, indeed, not to be invidiously specific as to whom, were always aware of potentialities in him, which he seemed to hold in check, or to trust doubtfully to his reader as if he thought they might be thought part of the joke. Looking back over his work now, the later reader would probably be able to point out to earlier readers the evidence of a constant growth in the direction of something like recognized authority in matters of public import, especially those that were subject to the action of the public conscience as well as the public interest, until now hardly any man writing upon such matters is heard so willingly by all sorts of men. All of us, for instance, have read somewhat of the conditions in South Africa which have eventuated in the present effort of certain British politicians to destroy two free Republics in the interest of certain British speculators; but I doubt if we have found the case anywhere so well stated as in the closing chapters of Mark Twain's "Following the Equator." His estimate of the military character of the belligerents on either side is of the prophetic cast which can come only from the thorough assimilation of accomplished facts; and in those passages the student of the actual war can spell its anticipative history. It is by such handling of such questions, unpremeditated and almost casual as it seems, that Mark Twain has won his claim to be heard on any public matter, and achieved the odd sort of primacy which he now enjoys.

But it would be rather awful if the general recognition of his prophetic function should implicate the renunciation of the humor that has endeared him to mankind. It would be well for his

younger following to beware of reversing the error of the elder, and taking everything in earnest, as these once took nothing in earnest from him. To reverse that error would not be always to find his true meaning, and perhaps we shall best arrive at this by shunning each other's mistakes. In the light of the more modern appreciation, we elders may be able to see some things seriously that we once thought pure drolling, and from our experience his younger admirers may learn to receive as drolling some things that they might otherwise accept as preaching. What we all should wish to do is to keep Mark Twain what he has always been: a comic force unique in the power of charming us out of our cares and troubles, united with as potent an ethic sense of the duties, public and private, which no man denies in himself without being false to other men. I think we may hope for the best he can do to help us deserve our self-respect, without forming Mark Twain societies to read philanthropic meanings into his jokes or studying the Jumping Frog as the allegory of an imperializing Republic. I trust the time may be far distant when the Meditation at the Tomb of Adam shall be memorized and declaimed by ingenuous youth as a mystical appeal for human solidarity.

W. D. HOWELLS.

NEW BOOKS REVIEWED.

HISTORY.

In writing the life of the great Countess of Tuscany* Nora Duff went straight to old books, to published documents and some still unedited, and to first-rate historians, and her facts are probably indisputable, all of them. But the three great questions of the book she simply—as we may say in logic—begged. She writes delightfully, she presents full-length portraits of her leading figures, Matilda, Henry IV and Gregory VII; she recalls the vanished life of the Castle of Canossa and the personality of the faithful secretary, the monk, Domnizo; and she gives an amazingly lucid account of the difficult policies of Italy, especially in the south. No doubt to do this she simplifies her subject, but it is simplicity of a lawful sort that prefers to omit non-essentials rather than to hurry over confused details. She has almost an eighteenth-century quality in her directness of approach; her love of characterizing the main figures and omitting the rest; her preference for personalities over tendencies; her simple, unhurried fluency. The book, which is written for people of culture, not for archivists, cannot have too much praise for its clear method and its easy style. No pleasanter book can be fancied. If no such things existed as truths in religion, politics or history, it would be perfect.

But all that is not matter of fact and dates the author takes most for granted, where it is most in dispute. She presents a view of the intricate situation in Italy and Germany which is wonderfully plain and in a sense complete. But it is incredibly from a single point of view. She simplifies the natures of great figures; she cuts their psychology down and lifts their motives up, just as she simplified events, and with less happy result. Was

* "Matilda of Tuscany, La Gran Donna d'Italia." By Nora Duff. London: Methuen & Co. New York: E. P. Dutton & Co.

Gregory VII really this figure, of apostolic purity no less than apostolic fervor? Was Matilda no more than a dutiful and devout lady rich in her own right? And among all the charming chroniclers cited, out of the seventeenth and eighteenth centuries and the early nineteenth, was there none to suggest that in Hildebrand's policy, his brilliancy and success lay the seeds of decay and destruction? Did she never guess that the scene at Canossa was the close of a first act, to which the last began only thirty years ago with a sentence engraved on the Hartzburg and a wall broken through on the Roman hill? She assumes, in brief, the complete wisdom and righteousness of Hildebrand's policy; the advisability of all he fought for, the impeccability of his motives from our own point of view even. This is history *a parti pris.*

It is not safe to assume so much. The disputed identity of the Countess Matilda with Dante's gentle lady of the earthly Paradise she affirms in two sentences and a foot-note, quoting a handful of names out of that particular tradition in criticism which does beyond question "back" the great Countess. But she offers no other argument, nor yet counter-argument, to the familiar objections which have been raised; and she naïvely implies instead of stating the main point she has to make—viz., that Matilda would be set there precisely to typify the visible church she served to such purpose, and to lead on to the manifestation of the church triumphant. The author is content to say that she "in lawlessness and barbarity stood for law and order." That is it! To the author, as to Gregory nearly a thousand years ago, Rome is order and the northern ideal is barbarity.

So she goes on, with the oddest alternation of twentieth-century standards of culture and eleventh-century standards of government. It would be conspicuously unjust to say she wanted candor or sincerity or was deliberately false to larger judgments of history,—for history does, in the course of a thousand years, declare a kind of right and wrong. From Dante to Lord Acton the Church at Rome counts a long roll of sons who have pronounced those judgments. This biographer has the same direct vision as a child and the same direct utterance in its own sense. She is true and fervent both. Yet no one would learn that the forged Decretals were forged from her. Again, in the matter of the Investitures, she is content to name and dismiss as simony the whole issue. Now any issue so vital to the tenure of kings and

the constitution of empires, as the feudal allegiance of those great secular princes, the bishops and abbots, cannot be dismissed as a mere sin, a species of "graft." So is the celibacy of the clergy treated as mere personal morality. Northern races have always wanted a married priesthood and have usually had it. Gregory could suppress for a few centuries what had been for a thousand years honest matrimony, but Luther was fatally to win it back. Historians have more than once suggested that there would have been no "Reformation" and no need for one had Gregory been indeed the saint our author presents instead of the prelate of whom his intimate supporter and friend, Peter Damian, said, "He ruled me like a holy Satan." The monk, Hildebrand, loved righteousness and hated iniquity, but the Pope Gregory wanted strength, and for the sake of strength, centralization at any and every cost; wanted power, and for the sake of power, money. Modern historians tend to reckon the scene at Canossa as a victory for Henry to say that Gregory's hand was forced there, as later it failed. And he died in exile.

If the Pope gets more than his share of the glory, Matilda's two husbands get scant measure. One would like to hear more of them. Even of Matilda some things are here unsaid. A hard partisan and a hard hitter; one who dealt stern justice, nor shrank from what we reckon cruelty; who took what came her way and what she took held fast; something with a man's power, a man's strength and a woman's persistency, a woman's intensity; so great among the great princes of the empire that her austere pride found its only fitting utterance in the superb formula of her choice, "Matilda, who, if she is anything, is so by the grace of God"—some such figure looms up through the darkness of the deepening centuries. It may be she was a more splendid soul than we have view of here, with more passions and whims, more terrors and lightnings—yet as presented she is a gracious and lovely presence, princely and right womanly.

The librarian of the Laurentian Library is as unpedantic as he is learned. With infinite charm and geniality Signor Biagi* recreates the daily life and mind of his city, half revealed through the shifting mists of half a dozen centuries. The material is al-

* "Men and Manners of Old Florence." By Guido Biagi. Chicago: A. C. McClurg & Co., 1909.

ways fresh, vivid and trustworthy. The point of view is always sound and stable, the tone always indulgent and urbane. It is like Florence herself speaking with such wisdom and serenity as only old people and old countries know, never lax or cheap, never fretful or vituperative. The reader feels to an extraordinary degree, from the thirteenth century to the nineteenth, the real life of real folk in the world of homely detail and domestic duty. The style assumes in places an odd and not displeasing naïveté—as is not infrequent in translated work—but it is easy always and grows only the more intimate. The pictures cover seven centuries; they are unusual, all; new because they are so old. The most novel of the essays is that on "Good Examples and Good Manners" of the fourteenth century; the most sustained in importance is the biography of Tullia of Arragon; but the most charming is the last of all, which records the changing of the old order and the passing of the last, kindly, ineffectual Grand-Dukes of Tuscany.

These Jesuit letters* and other memorials of devoted men under persecution, though published half as a pious task, no doubt, and half for special students, make pleasant reading for amateurs if taken in morsels like cheese. The long-dead writers are both less rancorous and less exalted than might have been expected. Either they were cautious correspondents or they have been rigidly edited. But they are gallant gentlemen for the most part, whether rehearsing such rather puerile miracles as that of the young lady who said her prayers in the garden during a shower and was not wet or sketching as good a prison interior as any in the contemporary novels; and always they are incredibly quaint and human. It is good to remember that men have lived so sober, staunch and self-effacing.

Any full consideration of the admirable historical work Mr. Trevelyan is doing on Garibaldi† must be reserved for the end of the series of vivid and absorbing volumes, or, at any rate, for the end of the year 1860 and the exploits of the splendid Thou-

* "Memoirs of Scottish Catholics during the Seventeenth and Eighteenth Centuries." By William Forbes Leith, S. J. 2 vols. London and New York: Longmans, Green & Co., 1909.

† "Garibaldi and the Thousand." By George Macaulay Trevelyan. London and New York: Longmans, Green & Co., 1909.

sand. Meantime every reader must pause to praise the ample and living and literary qualities of the work as scholarly as if it dealt with classic matter, but tinged and flavored by the testimony of witnesses, correspondents, interlocutors, who yet live, and further vivified by personal acquaintance with the ground both in the north of Italy and in the Mediterranean isles, which was the scene of the action. It is romantic rather than epical, adventurous rather than dramatic; the interest nowhere flags, and the style is a gentleman's and scholar's. So should history be written.

The greatest service of this book* will be to hard-pressed teachers. It presents in a handy form a great deal of information usually accessible only in libraries, and it reproduces a large number of miscellaneous pictures apt to pique the young mind. It has the life and movement of matter actually talked; selected and arranged to catch the eye and ear. It is not always fair to the Elizabethan people, however: that they were neither so much more cruel than we or so much more credulous, as the writer declares, his own evidence very candidly attests. To carry, for instance, a certain herb in the mouth as precaution against the plague need not be superstition; it may be antisepsis. And there is a rash statement (for another instance) on page 7 about the consequences of the defeat of the Armada. If Englishmen had waited till after 1588 to travel abroad, where should we all be now?

ESSAY.

Gleanings from the "Gentlemen's Magazine," under the editorship of Mr. A. H. Bullen, is bound to yield good reading, and it is high praise to say of the seventeen essays in this volume the eleven now for the first time printed excel in poetic charm and leisurely wisdom the six which originally appeared in that magazine. Leisurely wisdom, indeed, is the marked characteristic of these lovely essays. There is no startling brilliancy or wit, but the soft light of a quiet, kindly wit plays over all the essays and leaves us the better, the gentler, the kindlier, for the companionship of so wise a leader. The very titles of the essays

* "The Elizabethan People." By Henry Thew Stephenson. New York: Henry Holt & Co., 1910.

have some of the charm of the style. Such headings as "Wayside Wisdom,"* "Old Houses and Odd Dreams," "The Advantages of Poverty," "The Smoke of Cities," "The House of Wisdom," "On Travelling," "On Living Alone," "Death and Transfiguration," promise no more than they give of pleasant contemplation.

Here is an essayist who in a busy world pleads eloquently for the lost illusions, the sweet dreams and kindlier ways of leisure; despite all the hurry and rush and importance of getting on in life, he would have us turn aside to help a friend whenever we are called; to work, regardless of results, for the pure joy and love of an art; to give of ourselves to the things that are not seen, as the workmen in mediæval days devoted half a lifetime to carving perfectly some pinnacle never seen by any but the birds that fly about it. He has (or can it be *she* has) a loving eye for all sorts of scenery; even the flat lands that have no beauty in themselves, but only such as they borrow from the shifting seasons, from day and night, from the clouds and mists. "It is not," he tells us, "possible to miss the soul in a level country where, there being nothing to break the line of vision, the earth takes unto itself some of the characteristics of water by acting as a reflection of our moods." Once more to give the quality of the writer, we may quote from the "Smoke of Cities" a bit about Paris:

> "There is no room here for things outworn, for the old or the foolish or the feeble. We must either work or enjoy, must spend or be spent—this is the first law of all life lived in common; when we can work no more we may creep away and hide ourselves in the country, and listen in our loneliness to the whisper of the earth that is deadened by the clamor of men's voices as the earth itself is choked and buried under the weight of the stones and bricks and mortar out of which we build our cities."

* "Wayside Wisdom." By E. M. Martin. New York: Longmans, Green & Co., 1909.

"The fact remains that there is to be found in no other book that the reviewer knows of any such faithful, friendly, and fascinating portrait of the young woman of the period."
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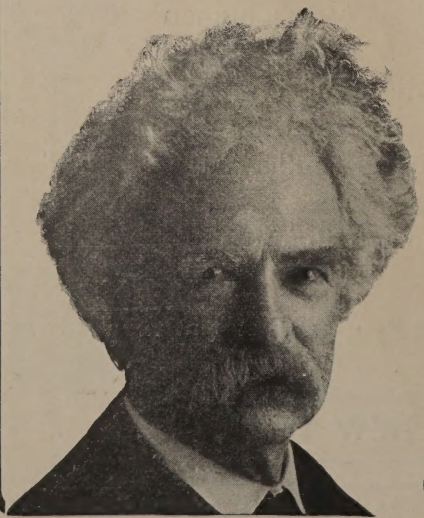

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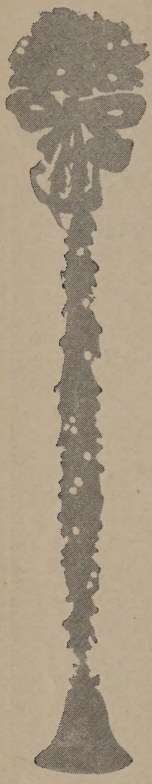

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HARPER'S MAGAZINE

FOR 1910

THERE are various levels in the world of magazines, just as there are in every other world. On the highest of these levels HARPER'S MAGAZINE has held its position undisputed for almost sixty years (its sixtieth birthday will be celebrated in June). One thing more than all others has made for its ever-increasing success—the keynote of its policy has been "always to be interesting." Compare HARPER'S for any year with any other periodical. You will find that it has covered the widest range of interesting subjects, and has done it interestingly; that it has published the most notable articles; that its list of contributors includes the names of almost every great living writer of America and England. Its short stories (and there are at least seven in every number) are "different" and are incomparably more striking than can be found elsewhere. And a HARPER serial is always the most important and successful novel of the year.

HARPER'S is a magazine of ideals. It believes in steady and constant progress. It does not go up with a flare and then down again, but steadily upward. It is better to-day than it has ever been before. That its qualities are appreciated is amply testified to by the fact that its circulation has reached a new high-water mark, and that after its sixty years of success its growth to-day is more rapid than ever in its history.

To give any complete outline of the plans of the MAGAZINE for the coming year is not possible, of course. A few of the notable features already arranged may be announced, but the best must come with the added charm of complete surprise and novelty.

Margaret Deland's New Novel

NO American writer of to-day has perhaps so strong a hold on the affections of her readers as Margaret Deland. The characters she has created in her "Old Chester Tales" and her novels have come to be like those of Dickens and Thackeray, tried and trusted friends. Who is there who does not know and love Doctor Lavendar and little David? Mrs. Deland, after three years of constant work, has just finished a new novel which will begin in the summer. It is in every way the strongest and most vital novel that Mrs. Deland has written, and that is high praise indeed.

Has the South Pole Been Discovered?

NOW that the North Pole has at last been reached, the eyes of the world are turned toward the south. Will this year, already famous by what has been accomplished, bring also the news that the southernmost point has been discovered? It seems not improbable. At any moment news may come of the Charcot expedition, which has now been absent almost two years in the Antarctic. And, whatever the results, the first account of their adventures will appear by special arrangement in HARPER'S.

A Novelist in the Orkneys

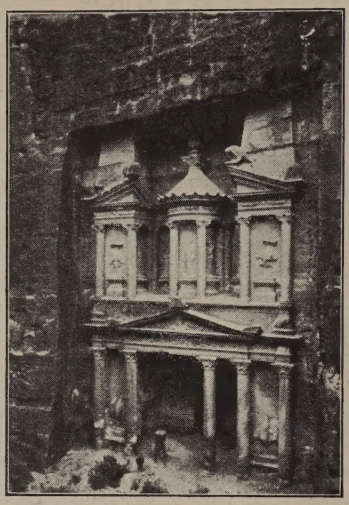
MAUDE RADFORD WARREN, the novelist, has just returned from a trip to the Shetlands and the Orkney Islands, and to the strange and little-known islands of Aran, off the coast of Ireland. She has lived among the people and learned their many curious ways and customs. Mrs. Warren will contribute a number of articles on her visits to these quaint corners of the world.

By Canoe from Winnipeg to Hudson Bay

KIRK MUNROE, who, by years of experience as a traveller in almost every corner of the world, is particularly fitted to undertake a perilous journey, is now making his way by canoe and on foot through an untravelled wilderness of northern Canada. His purpose is to follow the most direct course possible from Winnipeg to Hudson Bay, and thence to go through the wind-swept straits to Newfoundland. Mr. Munroe goes in the interests of HARPER'S, and the results of his journey should prove of absorbing interest.

The World of Art

EVENTS of the past year have shown that the American people are taking a constantly deeper interest in matters of art and are particularly desirous of keeping in touch with the work of foreign painters of the day. To meet this desire, HARPER'S MAGAZINE will publish during the coming year a number of articles by well-known authorities dealing with the men who have already won their laurels in their own lands but are less widely known in this country. All of these articles will be elaborately illustrated with reproductions of the artists' work. Some will be written by men who are themselves distinguished painters.



The Yale Expedition to Palestine

ELLSWORTH HUNTINGTON, M.A., the head of the Yale Expedition, has just returned to this country after a year's travel and exploration in Palestine. Mr. Huntington stands in the front rank of American travellers. He has written for HARPER'S MAGAZINE a group of papers of fascinating interest, embodying the results of his journey to the Dead Sea and beyond, his visit to the ruins of the once famous desert city of Palmyra, where Zenobia ruled, and many other places of peculiar interest because of their literary and Biblical associations. Splendid pictures go with the articles.

The Wonderland of Science

FOR some years two of Thomas A. Edison's friends have been at work on a life of the great inventor. We had hoped for this last year, but Mr. Edison works slowly. This year we are sure of some chapters from the life of the most interesting man alive. The field of science is one in which HARPER'S MAGAZINE occupies a unique position. It is the only non-technical MAGAZINE for which the great savants and men of science of the world are willing to write. HARPER'S has attained this position by publishing only articles of absolute authority by writers of unquestioned standing. And these articles are written in the simplest and most interesting way.

Among the contributors in this field of fascinating interest are Prof. Frederick Soddy, of the University of Glasgow; Prof. Henry A. Torrey, of Harvard University; Prof. Robert Kennedy Duncan, of the University of Kansas; Prof. J. B. Watson, of Johns Hopkins, etc., etc., etc.

Literature and Reminiscence

IN the field of literary reminiscence HARPER'S will present some peculiarly important contributions. Notable among these will be a number of articles prepared from the unpublished letters of the late Edmund Clarence Stedman, the poet, dealing with his early career as a war correspondent in the Civil War, and later with his life in New York in the sixties, in which a delightful picture is presented of the youth of many of our most distinguished men of letters with whom Mr. Stedman was associated.

Ford Madox Hueffer, the nephew of the English painter Ford Madox Brown, will contribute papers in which a delightfully intimate picture is given of many of the great figures of the pre-Raphaelite group, including Rossetti, Watts, and Swinburne. There will be essays on literature and life by E. S. Martin, Edmund Gosse, W. D. Howells, and other well-known English and American writers.

The New Philanthropy

CHARITY has ceased to be a matter of mere giving. The modern philanthropist aims not only to relieve those in poverty and distress, but to find out the causes of these troubles and eliminate them. The work is one which must interest every humane man and woman, and the results which are being accomplished are remarkable. Robert W. Bruere, of the New York Society for Improving the Condition of the Poor, will tell how the good Samaritan of to-day goes about his work, and how he is succeeding.

Capitals of the Orient

MR. W. J. AYLWARD is one of the most brilliant and versatile of our younger painters. He has recently visited the Orient, and in the MAGAZINE during the coming months he will present in picture and text his impressions of some of the great seaport cities of the East. Many of Mr. Aylward's pictures will be reproduced in full color.

Short Stories

A WORD or two more is perhaps pardonable about this most important feature of the MAGAZINE. The short stories of HARPER'S represent the best work that is being done in this field to-day—by both American and English writers. There is endless variety. The stories are stories of true quality, and here again it is a prime requisite that every story published shall be interesting. There will be at least seven complete stories in every number.

Many of these stories deserve special mention—stories by Rudyard Kipling, Mark Twain, W. D. Howells, a group of notable stories by Margarita Spalding Gerry and others by Arthur Sherburne Hardy and Edwin Lefevre. There will be tales by Joseph Conrad, Norman Duncan, Maurice Hewlett, Mary E. Wilkins Freeman, Georg Schock, Muriel Campbell Dyar, James Branch Cabell, Josephine Daskam Bacon, Howard Pyle, May Sinclair, James B. Connolly, Booth Tarkington, Perceval Gibbon, Emery Pottle, Henry James, Thomas A. Janvier, and in fact by every author of distinction.

Illustration

IN the beautifying of its pages and the illumination of its articles and stories with illustrations that really illustrate HARPER'S MAGAZINE has always led the world. Among those whose work is in itself the amplest guarantee of the highest standards are: Howard Pyle, W. Hatherell, R.I., Elizabeth Shippen Green, Frank Craig, Lucius W. Hitchcock, F. Walter Taylor, F. E. Schoonover, C. H. White, Howard E. Smith, May Wilson Preston, Peter Newell, F. Strothmann, W. D. Stevens, and André Castaigne. Henry Wolf will contribute frequent examples of his exquisite art of wood-engraving.

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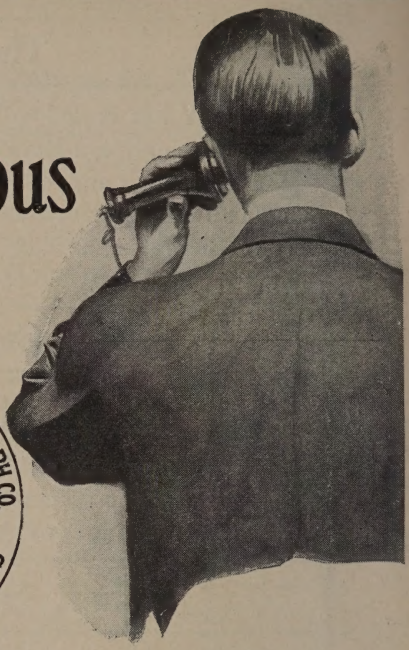

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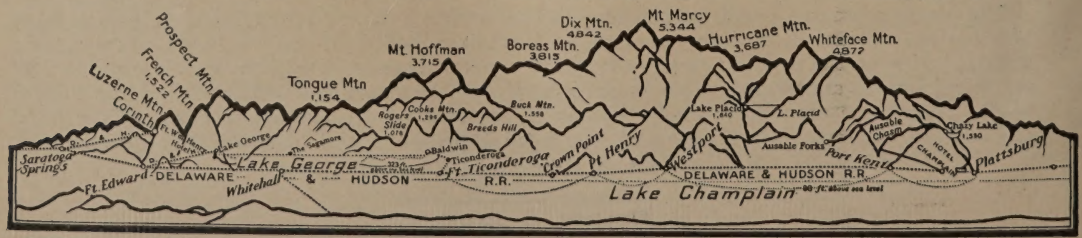

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